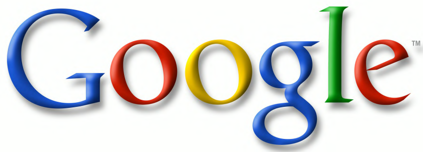

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THE

ENGLISHMAN AT HOME.

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HIS RESPONSIBILITIES AND PRIVILEGES.

BY

EDWARD PORRITT.

NEW YORK: 46 EAST 14TH STREET.
THOMAS Y. CROWELL & CO.
BOSTON: 100 PURCHASE STREET.

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PREFACE.

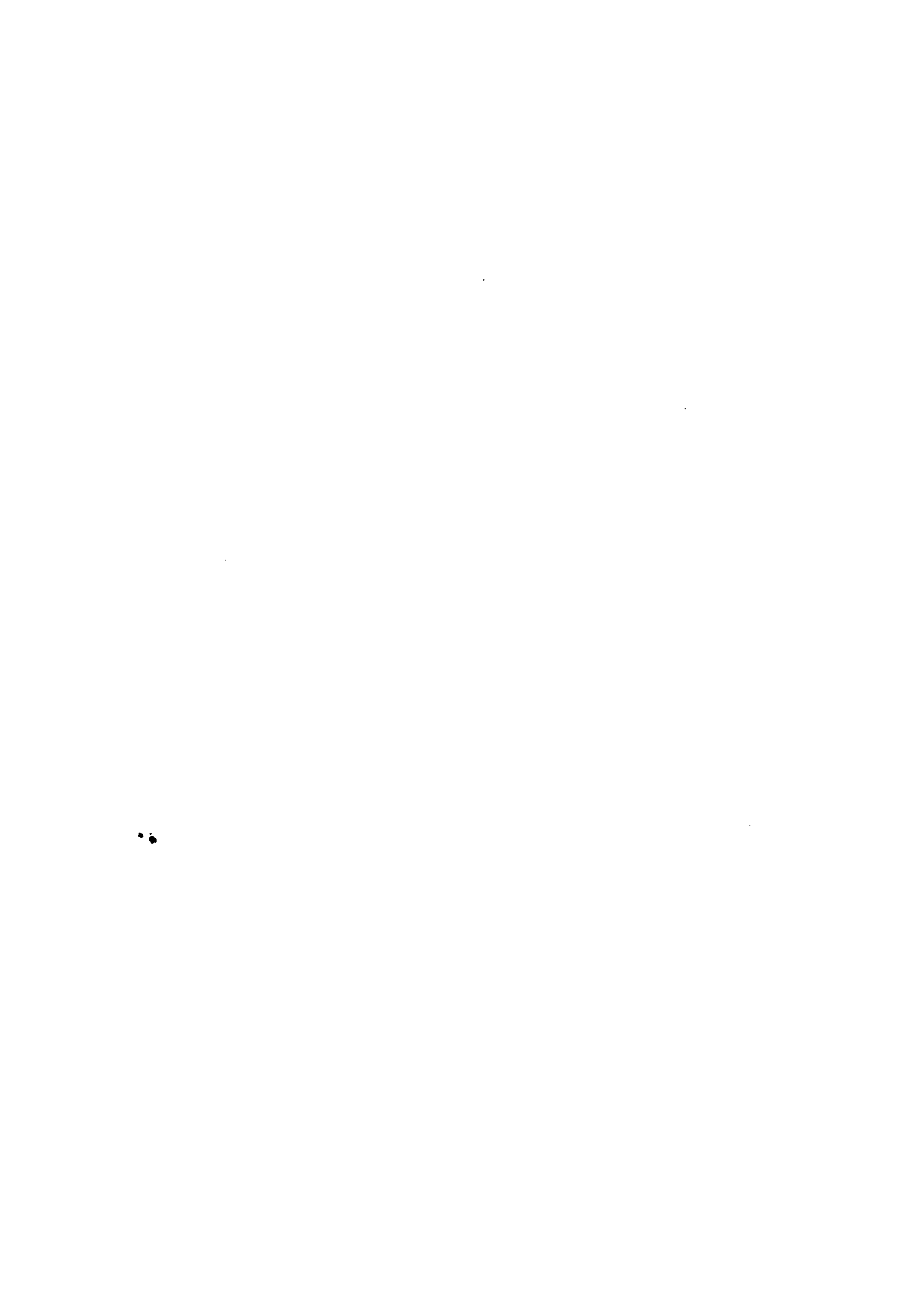
IN describing the various departments of Municipal and National life in England, my idea has been to begin with those institutions which are nearest to the people, and with which the people are most frequently in touch. This has been the plan generally followed, not only in the order of the chapters, but also in the arrangement of the chapters themselves. It was with this idea in mind that I commenced with Municipal Administration, and afterwards dealt with the Poor Law System, with Elementary Education, with the Administration of Criminal and Civil Justice, and with the collection of Imperial Taxation, before dealing with Parliament and the methods by which it is elected, with Parliament at work, and with the State Departments in London. Throughout, my idea has been to begin at the bottom, and work upwards; and in describing the various municipal institutions, I have endeavored to show how we came by them, what existed before

the more modern institutions were established, how these institutions are worked, their relations to the Central Government, what they cost, how the cost is raised, the general interest taken in them, the class of men who work them, and the spirit in which these men, the local politicians in England, go about their work.

The book is the outcome of observations and experiences as a newspaper man in England, extending over seventeen or eighteen years, of a journalistic career which began in boyhood with the reporting of the proceedings of Town Councils, Boards of Guardians for the Relief of the Poor, School Boards, Coroners', Police, and County Courts, Quarter Sessions, and Assizes, and has included ten or twelve years of newspaper work in London, with regular attendance at Westminster, a varied experience of the actual working of the State Departments, and an insight into politics and political life in the English Metropolis which falls to the lot of a London editor of a provincial daily journal. It is written with some knowledge of National, State, and Municipal politics in the United States, gained during a term of service on the literary staff of the *St. Louis Globe-Democrat*, and through considerable travel as a special correspondent of English and American journals in a large number of States of the Union.

Each year sees a growing interest, on the part of Americans, in England and in English affairs; each year sees a larger number of visitors from America in England; and each year sees an increase in the volume of English news by cable and by mail which finds its way into the American daily and weekly press. My aim has been to make the book not only of use and interest to students of civics and of English history and contemporary politics, but also of value to American visitors to England, and to readers of English news in the American press. If it adds to the intellectual pleasure of an observant American visitor in England, or helps an American newspaper reader to a better understanding and appreciation of a cable despatch from London, the book will not have been written in vain, and I shall have made some slight return to American friends in Journalism, in Politics, and in the Educational World, who have helped me in my study of American politics and American life.

FARMINGTON, CONNECTICUT, 1893.



CONTENTS.

CHAPTER I.

MUNICIPAL GOVERNMENT.

The division into boroughs, county boroughs, and counties. — History of the Municipal Reform Act of 1835 and of the County Government Act of 1888. — Political position of the working-classes prior to 1884. — County Government the exclusive monopoly of the landed and territorial classes. — The laborer a nonentity in county politics. — The enfranchisement of the laborer in 1884; given a share in County Government in 1888. — Municipal Government prior to 1835. — The Royal Commission and the prevailing municipal corruption. — Popular Control the keynote of the Reform Act of 1835. — A typical English borough. — How the Town Council is elected. — Councillors, aldermen, and mayor; their relations to each other and to the ratepayers. — Municipal and social duties of the mayor. — The class of men who engage in municipal politics. — Imperial and municipal politics. — Tenure of municipal officers. — A meeting of a Town Council. — The Press and Municipal Politics. — Committees of the Town Council. — Relations of the Town Council to the Local Government Board and to Parliament. — The Municipal Revenue. — Rates as distinct from taxes. — Rating assessments. — Poor Law valuation. — Rates paid by occupier. — A typical case. — Overseers of the Poor and their relations to municipal life. — Relations of Borough to County Government. — Local government in the country districts. — Rural Sanitary Authorities and Boards of Health. — Local Government in London. — The County Council and the Vestries. — The Guildhall, the Lord Mayor, and the Common Council of the City. — The City and Greater London. — Water and gas monopolies. — Comparative cost of local administration in London and in the Provinces . . . . *Page* 1

CHAPTER II.

THE POOR LAW AND ITS ADMINISTRATION.

Antiquity of the Poor Law. — The Church and early Poor Law Systems. — The "Pig-Sty Era." — Poor Law Relief and Laborers' Wages. — Sir Erskine May's description of Rural England at the end of the "Pig-Sty Era." — Reform of 1834. — Local Government Board and Poor Law Administration. — Local Poor Law Administration. — An Election of a Board of Guardians for the Relief of the Poor. — Safeguarding of Property Owners. — The New Democracy and Poor Law Politics. — Recent concessions to the Democracy. — Women as Poor Law Guardians. — The principle of the Poor Law System. — In-door and Out-door Relief. — The Workhouse and its internal management. — Tenure of Poor Law Officers. — A Board of Guardians in session. — Typical applicants for relief. — Poor Law and Old Age. — Pauper Children. — Medical Relief outside the Workhouse. — Treatment of Tramps. — Some characteristics of the English Tramp. — Women and Children of the tramp class. — Cost of the Poor Law system. — Rating for Poor Law purposes. — Parliament and Poor Law Boards . . . . *Page* 35

CHAPTER III.

NATIONAL ELEMENTARY EDUCATION.

Ancient Grammar Schools. — First Elementary Day Schools. — Establishment of the British and Foreign School Society and the National School Society. — Parliamentary Grants to Elementary Education. — Establishment of Education Department. — Appointment of Government Inspectors. — Payment by Results. — Schoolhouses and Government Grants. — Training Colleges for Teachers. — Teachers' Certificates. — Voluntary effort inadequate. — Forster Act of 1870. — Position of Voluntary Schools, School Boards, and Attendance Committees established in every District. — Relations of School Attendance Committees to Voluntary Schools. — Difference between Voluntary and Board Schools. — Compulsory Education and Defaulting Parents. — Conditions under which School Boards are Estab-

lished. — Objections to School Boards; Economy and the interests of Religious Denominations. — Religious Teaching in Voluntary Schools. — School Board Elections and Politics. — Tenure of School Board Officers. — Legal definition of Elementary School. — Nonsectarian Religious Instruction in Board Schools. — Grants from Education Department. — School Board Rates. — Training of Teachers. — Queen's Scholarships. — The Colleges. — Teachers' Credentials. — Salaries of Teachers. — Evening Classes. — Science and Art Department. — Technical Education and Manual Instruction. — Total annual cost of State-aided Education . . . . *Page* 58

CHAPTER IV.

THE ADMINISTRATION OF JUSTICE.

Municipal Control of Police. — London Police Force. — Local Police Force and the Home Office. — Borough Magistrates. — Licensing Laws. — Stipendiary Magistrates. — Solicitors and Barristers. — Etiquette of the Bar. — Quarter Sessions and Assizes. — Preliminary Stages of a Criminal Trial. — Coroner's Court. — Recorders and Chairmen of Quarter Sessions. — Grand and Common Jurymen. — Quarter Sessions and Appeal Cases. — County and Borough Magistrates. — The Lord Lieutenant and the Appointment of Magistrates. — Property Qualifications for Magistrates. — Administration of Justice in Rural Districts. — Assizes. — Judges and their Appointment. — Judges on Circuit. — High Sheriffs, Grand, Special, and Common Jurymen at Assizes. — Criminal Procedure at Assizes. — Final Stages of a Criminal Trial. — Capital Sentences. — No Appeal in Criminal Cases. — Home Secretary and Condemned Prisoners. — Celerity of the Criminal Law. — Treatment of Condemned Prisoners. — Executions. — The Cost of Criminal Trials. — Civil Justice. — Local Courts and the Courts in London. — County Court Judges. — County Court Cases. — The Bankruptcy Laws. — Meetings of Creditors. — Certificates of Discharge to Bankrupts. — The High Court of Justice; the Chancery, Queen's Bench, and Probate, Divorce, and Admiralty Divisions. — Appeal Courts and the Judicial Functions of the House of Lords. — Lord Chancellor. — A Civil Trial. — Queen's Councillors. — Board of Trade Courts. — Inquiries into Losses of Vessels at Sea and Railway Accidents. — The Railway Commissioners . . . *Page* 88

CHAPTER V.

IMPERIAL TAXATION.

Taxes and Rates — Direct and Indirect Taxation. — Customs Houses, and the Departments of Excise and Inland Revenue. — Taxes for Revenue only. — Excise Duties and the Liquor Trade. — Inland Revenue, and the Sources from which raised. — Income Tax and Inhabited House Duty. — Income Tax Schedules. — Typical Cases. — Taxation of the Middle Classes. — Impossibility of Escaping the Income Tax. — Collection of Inhabited House Duty. — Collection ot Property Tax. — Taxes paid by Householders with Incomes of £1,000 per year. — Taxation of Smaller Incomes. — No Direct Taxation paid by Artisans and Laborers . . . . *Page* 126

CHAPTER VI.

PARLIAMENT AND THE CONSTITUENCIES.

County and Borough Constituencies. — Membership of the House of Commons. — University Seats. — Parliamentary Franchise. — Three Great Reform Acts. — Parliamentary Franchise before 1832. — Nomination and Rotten Boroughs. — Early Agitation for Reform. — Struggle in Parliament over the Act of 1832. — Creation of Middle Class Electorate. — Reform Act of 1867. — Working Classes in Towns receive the Franchise. — The Acts of 1884 and 1885. — Enfranchisement of the Working Classes in Rural Districts. — Increase in Membership of the House of Commons. — Qualifications of Voters. — Registration. — Local Political Organizations. — Revising Barristers' Courts. — Political Contests in the Revision Courts. — Procedure at Parliamentary Election.— A Contested Election in a Typical Borough. — Political Clubs. — Selection of Parliamentary Candidates. — Local Candidates and Carpet Baggers. — Party Headquarters in London. — Reception of Candidate by Local Committee.— Candidates' Activities in the Constituency. — The Canvass. — Working of Ballot and Corrupt Practices Acts. — Cost of Elections. — Limitations of Cost. — Dissolution of Parliament and the Issue of New Writs. — Nomination and Election Days. — The House of Lords and a General Election. — Constitution of the House of Lords. — Law Lords and Lords Spiritual . . . . *Page* 143

CHAPTER VII.

PARLIAMENT AT WORK.

The High Court of Parliament. — Opening of a New Parliament. — Election of Speaker. — A New Administration. — Formation of New Cabinet. — Typical Cabinet. — Re-elections after Acceptance of Office. — Seating of Members and Arrangement of House of Commons. — Commencement of New Session. — Speech from the Throne. — Debate on the Address to the Crown. — Opening of a Sitting of the House of Commons. — Orders of the Day. — Private Business, Petitions, Questions, and Motions for Adjournment. — Introduction of New Members. — Stages of a Bill. — Introduction and First Reading. — Second Reading. — The Speaker's Eye. — Whips and their Duties. — Divisions. — Instructions to Committees. — Proceedings in Committee. — Chairman of Committees. — Piloting a Bill through Committee. — The Government and the Time of the House. — Third Reading. — Messages between the House of Commons and the House of Lords. — The Royal Assent. — An Act of Parliament. — Voting Money for Public Services. — Quorum. — Counts out. — Procedure in Committee of Supply. — Committee of Ways and Means. — The Budget and Taxation. — Private Members' Bills. — Select Committees, Committees on Private Bills, and Standing Committee. — Procedure before Private Bill Committees. — Parliamentary Barristers. — Royal Commissions. — The Life of a Parliament. — The Chiltern Hundreds. — Elevation to the Lords. — Expulsion of Members. — Deceased Members. — Members and their Constituents. — Character of Membership of House of Commons. — Changes due to the Later Reform Acts. — Politics as a Career. — Prizes open to Lawyers. — Nouveaux Riches and Parliamentary Life. — Baronetcies as Rewards for Political Service. — Journalism and Politics. — Labor and Socialism in the House of Commons . . . . *Page* 170

CHAPTER VIII.

THE STATE DEPARTMENTS.

Departments most in Touch with the People. — Local Government Board: Poor Law and Municipal Administration. — The Committee of Council for Education: Distribution of Parliamentary Grants; Educa-

CHAPTER V.

IMPERIAL TAXATION.

Taxes and Rates — Direct and Indirect Taxation. — Customs Houses, and the Departments of Excise and Inland Revenue. — Taxes for Revenue only. — Excise Duties and the Liquor Trade. — Inland Revenue, and the Sources from which raised. — Income Tax and Inhabited House Duty. — Income Tax Schedules. — Typical Cases. — Taxation of the Middle Classes. — Impossibility of Escaping the Income Tax. — Collection of Inhabited House Duty. — Collection of Property Tax. — Taxes paid by Householders with Incomes of £1,000 per year. — Taxation of Smaller Incomes. — No Direct Taxation paid by Artisans and Laborers . . . . *Page* 126

CHAPTER VI.

PARLIAMENT AND THE CONSTITUENCIES.

County and Borough Constituencies. — Membership of the House of Commons. — University Seats. — Parliamentary Franchise. — Three Great Reform Acts. — Parliamentary Franchise before 1832. — Nomination and Rotten Boroughs. — Early Agitation for Reform. — Struggle in Parliament over the Act of 1832. — Creation of Middle Class Electorate. — Reform Act of 1867. — Working Classes in Towns receive the Franchise. — The Acts of 1884 and 1885. — Enfranchisement of the Working Classes in Rural Districts. — Increase in Membership of the House of Commons. — Qualifications of Voters. — Registration. — Local Political Organizations. — Revising Barristers' Courts. — Political Contests in the Revision Courts. — Procedure at Parliamentary Election. — A Contested Election in a Typical Borough. — Political Clubs. — Selection of Parliamentary Candidates. — Local Candidates and Carpet Baggers. — Party Headquarters in London. — Reception of Candidate by Local Committee. — Candidates' Activities in the Constituency. — The Canvass. — Working of Ballot and Corrupt Practices Acts. — Cost of Elections. — Limitations of Cost. — Dissolution of Parliament and the Issue of New Writs. — Nomination and Election Days. — The House of Lords and a General Election. — Constitution of the House of Lords. — Law Lords and Lords Spiritual . . . . *Page* 143

CHAPTER VII.

PARLIAMENT AT WORK.

The High Court of Parliament. — Opening of a New Parliament. — Election of Speaker. — A New Administration. — Formation of New Cabinet. — Typical Cabinet. — Re-elections after Acceptance of Office. — Seating of Members and Arrangement of House of Commons. — Commencement of New Session. — Speech from the Throne. — Debate on the Address to the Crown. — Opening of a Sitting of the House of Commons. — Orders of the Day. — Private Business, Petitions, Questions, and Motions for Adjournment. — Introduction of New Members. — Stages of a Bill. — Introduction and First Reading. — Second Reading. — The Speaker's Eye. — Whips and their Duties. — Divisions. — Instructions to Committees. — Proceedings in Committee. — Chairman of Committees. — Piloting a Bill through Committee. — The Government and the Time of the House. — Third Reading. — Messages between the House of Commons and the House of Lords. — The Royal Assent. — An Act of Parliament. — Voting Money for Public Services. — Quorum. — Counts out. — Procedure in Committee of Supply. — Committee of Ways and Means. — The Budget and Taxation. — Private Members' Bills. — Select Committees, Committees on Private Bills, and Standing Committee. — Procedure before Private Bill Committees. — Parliamentary Barristers. — Royal Commissions. — The Life of a Parliament. — The Chiltern Hundreds. — Elevation to the Lords. — Expulsion of Members. — Deceased Members. — Members and their Constituents. — Character of Membership of House of Commons. — Changes due to the Later Reform Acts. — Politics as a Career. — Prizes open to Lawyers. — Nouveaux Riches and Parliamentary Life. — Baronetcies as Rewards for Political Service. — Journalism and Politics. — Labor and Socialism in the House of Commons . . . . *Page* 170

CHAPTER VIII.

THE STATE DEPARTMENTS.

Departments most in Touch with the People. — Local Government Board: Poor Law and Municipal Administration. — The Committee of Council for Education: Distribution of Parliamentary Grants; Educa-

tion Code. — The Home Office: London Police; Factory and Mines Legislation; Prisons; Naturalization. — Board of Trade: Joint Stock Undertakings: Bankruptcy Laws; Railways, Canals, and Harbors; Trade Statistics; Labor Department; the *Board of Trade Journal*, and the *Labor Gazette*. — The Post-Office: Telegraph System and Savings Banks. — Board of Agriculture: Cattle Disease and Importation of Cattle. — Office of Public Works: Royal Palaces, Public Buildings, and Parks. — Chancellorship of the Duchy of Lancaster. — War Office. — The Admiralty. — The Foreign Office. — The Colonial Office: Crown Colonies; Colonies Possessing Representative Institutions but not Responsible Government, and Colonies with Responsible Government. — The India Office: the India Council; Executive Authority in India; the Governor General; the Legislative Council. — Salaries of Cabinet Ministers and Heads of Departments. — Ministers and Pensions . . . . *Page* 227

CHAPTER IX.

THE CHURCH OF ENGLAND AND NONCONFORMITY.

Constitutional Position of the Church of England. — The Church of the Whole People. — The Old Division Line between the Church and Nonconformity. — Civil Disabilities of Nonconformists. — What remains of the Old Dividing Line. — Religious Equality Legislation during the Present Century. — The Marriage Laws. — Civil Marriages. — Registration of Marriages. — Admission of Jews to Parliament. — Abolition of Compulsory Church Rates and University Tests. — Opening of Churchyards to Nonconformists. — Offices which may not be held by Roman Catholics. — The Universities and Church Livings in the gift of Roman Catholics. — Bishops in the House of Lords. — Parliament and Church Legislation. — Provinces of Canterbury and York. — Appointment of Archbishops, Bishops, and Deans. — The Prime Minister and Ecclesiastical Appointments. — Convocation. — Ecclesiastical Courts. — A Parish. — The Legal Check on the Ritual. — Negligent Clergymen. — An Incumbent and his Parishioners, *Page* 243

CHAPTER X.

THE MILITARY, NAVAL, AND CIVIL SERVICES.

The Army and the Reserve Forces. — All Military Service Voluntary. — Parliament and the Army. — Short Service System. — Pay of a Private Soldier. — Officers and their Commissions. — The Militia. — Militia

Officers. — The Yeomanry Cavalry. — Popular Idea of a Yeomanry Troop. — The Volunteer Force. — Nature of Volunteer Service. — Royal Navy. — Relations of Navy to Parliament. — Civil Service. — Competitive Examinations and Security of Tenure. — Higher and Lower Divisions. — Nonpartisan Character of the Service. — Pensions. — Women in the Post-office . . . . *Page* 260

CHAPTER XI.

LABOR LEGISLATION.

Home Office and the Administration of Labor Legislation. — The First Factory Act. — An Old-time Working-day for Children. — A Saturday Half-holiday Three-quarters of a Century Ago. — The First Mines Regulation Act. — Women prohibited from working Underground. — Employment of Women Above Ground. — Half-time System for Children introduced. — The Age of commencing Work advanced from Ten to Eleven. — Indirect Interference with the Hours of Labor of Adult Males. — Protection to Health, Limbs, and Pocket. — Sanitary Laws, Truck Acts, Check-weighmen at Collieries and Weavers' Particulars. — Legal Relations of Employers and Employed. — The Harshness of the Old Labor Laws. — Employers and Employed now on a Level before the Law. — Employers' Liability for Accidents; the Measures of 1880 and 1893. — The House of Lords' Inquiry into the Sweating System. — The Government Departments and the Municipal Authorities adopt Contract Forms which regulate Sub-contracting. — The Reform Acts of 1884 and 1885 and Labor Politics . . *Page* 276

CHAPTER XII.

THE LAND AND ITS OWNERS.

The Land held by Few Owners. — Entail. — Leases. — Yearly Tenancies. — Compensation for Improvements. — Mining Royalties and Way-Leaves. — Copyhold. — Common Land. — Allotments. — Small Holdings. — Peasant Proprietors of the Fenlands. — Game Laws. — Privileges attaching to Large Estates. — Voting with the Landlord. — Decline of Landlords' Power in Politics and Local Government. — Privileges still remaining to Owners of Large Estates . . . *Page* 292

CHAPTER XIII.

THE DAILY PRESS.

Establishment and Development of Modern Daily Newspapers. — Reports of Parliamentary and Political Speeches. — Non-Partisan Reporting. — Government Organs of the Past. — Rewards from Government to Newspapers. — Honors for Proprietors and Editors. — Government Publications . . . . *Page* 314

APPENDICES.

PAGE

A. The Aggregate Cost of Local Government in England 329
B. Municipal Indebtedness 331
C. Salaries under the Municipalities 333
D. The Aggregate Annual Cost of the Poor Law System 334
E. The Distribution of Pauperism; the Relative Positions of the Agricultural and Manufacturing Counties 335
F. Curriculum of the Elementary Day Schools 337
G. The Duties of the Home Office and the Local Magistrates on Occasions of Tumult and Riots 341
H. The Queen's Proclamation for the Encouragement of Piety and Virtue 344
I. Distribution of Parliamentary Representation 346
K. Parliamentary Whips 347
L. The Relative Strengths of the English and Other European Navies, 353
M. Hours of Labor in Factories 354
N. Government and the Savings Banks 355

THE ENGLISHMAN AT HOME.

CHAPTER I.

MUNICIPAL GOVERNMENT.

The division into boroughs, county boroughs, and counties. — History of the Municipal Reform Act of 1835 and of the County Government Act of 1888. — Political position of the working-classes prior to 1884. — County Government the exclusive monopoly of the landed and territorial classes. — The laborer a nonentity in county politics. — The enfranchisement of the laborer in 1884; given a share in County Government in 1888. — Municipal Government prior to 1835. — The Royal Commission and the prevailing municipal corruption. — Popular control the keynote of the Reform Act of 1835. — A typical English borough. — How the Town Council is elected. — Councillors, aldermen, and mayor; their relations to each other and to the ratepayers. — Municipal and social duties of the mayor. — The class of men who engage in municipal politics. — Imperial and municipal politics. — Tenure of municipal officers. — A meeting of a Town Council. — The Press and Municipal Politics. — Committees of the Town Council. — Relations of the Town Council to the Local Government Board and to Parliament. — The municipal revenue. — Rates as distinct from taxes. — Rating assessments. — Poor Law valuation. — Rates paid by occupier. — A typical case. — Overseers of the poor and their relations to municipal life. — Relations of Borough to County Government. — Local government in the country districts. — Rural Sanitary Authorities and Boards of Health. — Local Government in London. — The County Council and the Vestries. — The Guildhall, the Lord Mayor, and the Common Council of the City. — The City and Greater London. — Water and gas monopolies. — Comparative cost of local administration in London and in the Provinces.

ENGLAND is divided for the purposes of municipal administration into boroughs, county boroughs, and counties. The two last-named divisions, county boroughs and counties, as regards local

government, are of recent date, and owe their origin to the County Government Act of 1888. This long-delayed Parliamentary measure took the government out of the hands of the squirearchy and placed the rural districts on nearly the same level, in respect of popular local government, as that upon which the incorporated boroughs were placed by the Municipal Reform Act of 1835, the nineteenth century foundation of all municipal life in England. Until the Act of 1888, there had been no such distinction as boroughs and county boroughs. Whatever the size and population of a town, if it had a charter of incorporation under the Act of 1835, or a charter of an earlier date, as many of them had, it was known as a borough. Some additional powers were conferred by Parliament upon the large towns by the Act of 1888. All towns with a population of over fifty thousand received these new privileges; and with these new privileges they took upon themselves the new title of county boroughs, which was intended to distinguish them on the one hand from incorporated towns with a population of less than fifty thousand, and on the other from all the territory lying outside the boroughs and the county boroughs, and known for local government purposes as the county.

It may be well for present purposes to take the case of one of the smaller towns, one of the boroughs with a population of from forty-five to fifty thousand. There is not much difference between the government of a county borough and a borough; for the Local Government Act of 1888 did not greatly dis-

turb the uniformity of administration in the boroughs and county boroughs, which had existed since the Municipal Reform Act of 1835.

Two dates stand out prominently in the history of English local government. These are 1835 and 1888; and it is worthy of note that both these dates come just after dates which stand out with equal prominence in the Parliamentary and constitutional history of England. In 1832, three years previous to the passage of the Municipal Reform Act, Parliament itself had been reformed. For half a century before this time the reform of the Parliamentary franchise had been the subject of intermittent agitation. The agitation became widespread and serious after Waterloo and the establishment of peace on the continent of Europe; and it culminated, in 1832, in a measure which established a uniform electoral system, abolished the numerous rotten and nomination boroughs which had been the scandal of English political life during the eighteenth century, and, by conferring the vote on all householders whose houses or other premises in their occupation were rated to the relief of the poor at ten pounds per annum, created what was essentially a middle class Parliamentary electorate.

After the Reform Act of 1832 came first the measure of 1834, which reformed the Poor Laws, and then, in 1835, the Act which has ever since been the basis of all municipal life in England. The working classes were practically excluded from the Parliamentary Reform Act of 1832, because few of

them occupied houses assessed to the relief of the poor at ten pounds, and it was not until 1867 that they were given a Parliamentary franchise. Then it was conferred only on those living within the areas of the boroughs incorporated under the Municipal Reform Act of 1835, and it was not until 1884 that the Parliamentary franchise was conferred upon the working classes living in the rural districts. Until this time these people — those living in small houses outside the boundaries of municipal towns — had no votes. They had no share in the election of members to represent the county or the division of the county in the House of Commons; and as for local government, they had had nothing whatever to do with it. County government was in those days a matter exclusively for the landed and wealthy classes; and the rural laborer or artisan had no more to do with the choice of the magistrates who dispensed justice in the petty sessional courts, and met in quarter sessions to administer the affairs of the county, than he had with the elevation of a member of the House of Commons to the House of Lords, or the distribution of seats in the Cabinet. For Parliamentary and local government purposes the laborer living outside the towns was a nonentity.

In 1884 the Parliamentary franchise was conferred upon the rural laborer; and in the second Parliament elected after his coming into possession of his political privilege, in 1888, the magistrates who for generations past had administered county government, were deprived of these governmental duties and

exclusive privileges, and in each county a popularly elected body was established, in the election of which the rural laborer now has a vote, as his fellows in the incorporated towns have had for nearly two generations.

There is always a quickening of political life in England after a measure widening the Parliamentary franchise. It was so after the Act of 1832, which enfranchised the middle classes. It was so after the Act of 1867, which gave the franchise to all householders in the towns; and again it was so after the Act of 1884, which enfranchised the small householders in the rural districts. After the Act of 1832 came the Municipal Reform Act; after the Act of 1867, the Elementary Education Act of 1870; and after the Parliamentary Reform Act of 1884, the measure which swept away some of the relics of feudalism, and in particular the exclusive privileges of the landed classes in county government.

It was inevitable that this should be so. The old boroughs — those which existed under royal charters, some of them dating back to Tudor times — were the centres of the political corruption which was swept away by the Parliamentary Reform Act of 1832. These boroughs were corrupt both in a municipal and in a Parliamentary sense, and it was impossible for their corrupt municipal goverments long to survive the great measure which did so much to purify English national politics. This purification was not completed by the Act of 1832; it needed the further Reform Acts of 1867 and 1884, and the Corrupt Prac-

tices Act of 1883, to bring English national politics to their present high level of purity. But the Reform Act of 1832 was undoubtedly the first step in this direction; and the corruption which had characterized English municipal politics, as well as English national politics, could not long withstand the change which the Act of 1832 brought about. As a consequence of this Act, there was an end almost at once of the wholesale corruption of national politics, to the buying of votes, and the open sale of Parliamentary seats; and in the first House of Commons elected under the new system a demand was made that there should be a thorough-going reform of the government of the municipalities.

Nothing can exceed the caution with which the English Parliament proceeds with measures of reform. Nearly all great constitutional changes are preceded by commissions of inquiry. In 1832 nobody except the persons who profited by the plundering of the municipalities questioned the need of reform; but Parliament, as is its wont in matters of this kind, appointed a Commission of inquiry, and the report of the Commission confirmed all the allegations which for years had been made against the existing municipal corporations.

These bodies were shown to be self-elected and altogether irresponsible. They were composed of local and often hereditary cliques and family connections, and were absolute masters over their own townspeople.

" Even where these institutions exist in their least

imperfect form, and are most rightfully administered," read the report of the Royal Commission, "they are inadequate to the wants of the present state of society. In their actual condition, when not productive of evil, they exist in a great majority of instances for no purposes of general utility. The perversion of municipal institutions to political ends has occasioned the sacrifice of local interests to party purposes which have been frequently pursued through the corruption and demoralization of the electoral bodies. In conclusion, we report that there prevails among the inhabitants of a great majority of the incorporated towns a general and, in our opinion, a just dissatisfaction with their municipal institutions, — a distrust of the self-elected municipal councils whose powers are subjected to no popular control, and whose acts and proceedings being secret are unchecked by the influence of public opinion, — a distrust of the municipal magistracy, tainting with suspicion the local administration of justice, and often accompanied with contempt for the persons by whom the law is administered, and a discontent under the burdens of local taxation; while revenues that ought to be applied for the public advantage are diverted from their legitimate use, and are sometimes squandered for purposes injurious to the character and morals of the people. We therefore feel it to be our duty to represent to your Majesty that the existing corporations of England and Wales neither possess nor deserve the confidence and respect of your Majesty's subjects, and that a

thorough reform must be effected before they can become, what we humbly submit to your Majesty they ought to be, useful and efficient instruments of local government."

Little that was new was revealed by the report of the Royal Commission. Corruption of the municipalities was as notorious as the corruption at Parliamentary elections which had been swept away by the Reform Act. The report served, however, to bring the question fully and immediately before Parliament, and a bill was introduced into the House of Commons to remedy the abuses and to effect the thorough-going reform which the Royal Commission had insisted was imperatively necessary. The measure was introduced by Lord John Russell, who three years earlier had carried the Reform Act through the House of Commons, and had compelled William IV. to help him to force the Parliamentary Reform Bill through the House of Lords by a threat on the part of the king to over-ride opposition there by creating new peers.

There was no attempt in the Municipal Reform Act to improve the existing corporations. Most of them were beyond improvement. Popular control was the keynote of the measure. The old close corporations were replaced by town councils, in whose election every householder, male or female, who pays rates to the relief of the poor now has a vote; and to these bodies were intrusted all town affairs, except the administration of the poor laws, which, under an Act of 1834, had been placed in the hands

of what are known as Boards of Guardians for the Relief of the Poor. This Municipal Reform Act was passed in 1835. It has been added to and amended by numerous Acts of Parliament passed since that time; new duties and increased responsibilities have been thrown upon the town councils; but the fundamental principles of the Act have not been altered, and it remains to-day the foundation of all municipal government in England. In 1835 one hundred and eighty-three towns of various sizes at once came within its provisions. Every year since then the number has been added to; for all that is now necessary to a charter of incorporation is a petition to the Privy Council in London, by which body the charters are granted. If the population of a town is sufficient to warrant incorporation, and if a majority of the ratepayers are in favor of it, the petition to the Privy Council is little more than a matter of form.

In a town of 40,000 or 45,000 inhabitants, which may be taken as the type of a borough illustrating municipal life in England, the town council will probably consist of thirty-six councillors and nine aldermen. The councillors are elected directly by the people. The town is divided into wards for electoral purposes, and the voting is by ballot. The councillors are elected for three years, one-third of the total number retiring each year. The aldermen and the mayor are elected by the councillors, and may be chosen from within or without the council. The mayor is elected for one year; the aldermen,

who always number one-fourth of the councillors, are elected for six years. When the Municipal Reform Act of 1835 went forward from the House of Commons to the House of Lords, there was no provision in it for the election of aldermen. Aldermen had been of the old close corporations; but it was not the intention of Lord John Russell and the friends of the new order of things in municipal government to continue the aldermanic principle. The House of Lords, however, acting in behalf of the property-owning classes, insisted on its retention; and to obviate a controversy between the two Houses, the Government gave way. In 1888, when the County Government bill was before the House of Commons, the Radical members made a determined effort to prevent the perpetuation of the aldermanic idea in the governing bodies of the counties. Like the Whigs of 1835, the Radicals of 1888 desired an administrative body elected entirely by the people; but they were not able to prove to the satisfaction of Lord Salisbury's government that the aldermanic principle had worked ill in the Act of 1835, and now the plan is common to all three forms of local government — the borough, the county borough, and the county.

No pay nor allowances of any kind attach to the office of town councillor, alderman, or mayor; nor is any qualification, beside that of residence and the payment of rates, necessary for any of these offices. The only distinction office confers upon the mayor, apart from the mayorality itself, is that the

holder of the office during his term is chairman of the borough bench of magistrates, or justices of the peace, and has a right to a place on the bench for one year following that in which he has acted as mayor. When on the bench, or when presiding at the meetings of the town council, the mayor wears a robe trimmed with ermine and also a gold badge of office, which is handed on from one mayor to another. The robe and the badge of office are also worn on ceremonial occasions outside the council chamber.

The mayor is expected to give up a considerable portion of his time to the municipal and social duties of the office. On the occasion of a Parliamentary election, he receives the writ from the Crown Office at Westminster, and acts as returning officer. If there is an important public meeting of a non-partisan character, he is expected to preside. He is also invited to most of the public dinners and banquets; and his presence is generally looked for at church and chapel bazaars, at school prize distributions, and kindred gatherings. In towns of the size of the one taken to illustrate municipal life, the line between Church and Dissent — between the members of the Established Church of England and the adherents of the numerous nonconformist or dissenting bodies — is usually well drawn; but, no matter whether the mayor is a churchman or a dissenter, during the year of mayorality he treats all alike, and will open a Congregational or a Wesleyan Methodist bazaar one day, and on the next attend the laying

are to be made is advertised for some weeks beforehand; applications are in order from residents and non-residents of the borough, and, as a general rule, the best man is appointed.

The mayor presides at all the meetings of the town council. The aldermen and the town councillors meet and deliberate together, and the votes of the two classes of members are of equal value. The mayor has nothing in the nature of a veto over the actions of the town council. In the event of a tie on any question he can give the casting vote. The meetings of the town council are open to the public and to the press; and such is the interest in the discussions which engage the council, that in these towns of forty to forty-five thousand inhabitants, the weekly and bi-weekly newspapers frequently devote a page or more to the report of the council's proceedings. Towns of this size are without daily journals; but in cities like Liverpool and Manchester, in which the daily press is almost as cosmopolitan as that of London, three or four columns are frequently devoted to the meetings of the council. Speeches and votes on all important municipal questions are fully reported and recorded. They are read by the rate-payers; and it is beyond question that the publicity thus given to the proceedings of the town council, and the other local administrative bodies, largely accounts for the interest taken in English municipal politics, their uniformly high character, and for the generally disinterested way in which the men who give their time to municipal work discharge their duties.

The executive business of the council is chiefly in the hands of the various committees into which the council divides itself at the commencement of the municipal year. These committees are formed of both aldermen and councillors. Since the aldermen usually have longer experience of municipal work, they are frequently elected chairmen of the committees. One of these committees devotes itself to sewering and paving; another to new buildings, for which it passes all plans; another to finance; another to police; others to gas and water works, in towns where these undertakings are in the hands of the municipalities; while the management of the markets, the parks, the cemeteries, the public baths and wash-houses, and the free libraries and reading-rooms, are assigned to other committees.

The committees meet as frequently as the work assigned them demands; but they have no power to act without the sanction of the council. Each committee draws up minutes of its proceedings and recommendations, which are discussed and accepted or rejected by the council at its monthly meetings. The recommendations are brought forward by the chairman of the committee, who usually explains them with some little detail, answers any inquiries in regard to them, and moves their adoption by the council. Another member of the committee seconds the motion, and all subsequent discussion in regard to the proceedings and work of the committee is upon the question that the minutes or recommendations be adopted. It is open to any member of the council who differs from

the majority of the committee, as it is to any member of the minority of the committee on any particular question, to move the rejection of the recommendations, or the reference of the matter under discussion back to the committee.

The powers of the town council are defined by the charter of incorporation and by the numerous Acts of Parliament imposing duties and responsibilities upon the corporation. The council is responsible to the ratepayers, and also to the Local Government Board, the State Department in London which exercises an oversight over municipal government and the administration of the poor laws. No large expenditure of money, involving capital outlay and the exercise of borrowing powers, can be entered upon without the sanction of the Local Government Board; and before this sanction is given, the Board, through one of its inspectors, holds a public inquiry in the borough, at which the ratepayer can lodge his objections. Municipal schemes are often nipped in the bud as the result of these inquiries. In cases where compulsory powers of purchase are sought, such, for instance, as the taking over of a local water-works or a gas supply from a private company, the sanction of Parliament has to be obtained. When this is sought, what is known as a private bill is promoted by the town council.

The term private bill is used in two senses. It is applied, first, to the legislative measures introduced in either the House of Commons or the House of Lords by private members; that is, by members who

are not of the Ministry, and for whose measures the Government takes no responsibility. It is also applied to the measures introduced by town councils seeking powers to take over water and gas works, to carry out drainage schemes, or to add to the area of the borough, and also to the measures introduced in behalf of railway and other companies seeking powers to carry out new works. These bills are not introduced in the same way as a private member's bill. In his case the permission of the House has to be first obtained. No such permission is needed in regard to bills introduced by a municipality or a public company. A number of preliminaries, such as advertising in the *London Gazette*, the official newspaper, and in the local newspapers, have to be complied with, and then the bill is lodged at the Private Bill Office at Westminster. In due course it is read a first and a second time in the House of Commons, and afterwards sent to a private bill committee, when the whole matter is debated, as it were, in open court. The promoters of the bill retain lawyers who are known as Parliamentary Barristers, and the opponents of the measure do the same. Witnesses are called for and against, and are examined and cross-examined in much the same way as witnesses are examined and cross-examined in the civil courts. The whole procedure, in fact, is very similar to that at the trial of a civil suit in the law courts. If the measure passes the private bill committee, it goes through both Houses in the usual way, being read a third time, and receiving the royal assent

like any ordinary bill introduced by a private member or by a member of the Ministry in behalf of the Government.

The origin of the municipal system, the manner of electing town councils, the way in which the councils do their work, their relations to the ratepayers, to the Local Government Board, and to Parliament, having thus been explained, it remains now to turn to the manner in which the revenue of the town council is assessed and collected. At this point a distinction must be made between ratepayers and taxpayers. So far there have been no references to taxpayers, for the reason that the word taxpayer has no place in municipal phraseology.

In England, the sums of money a citizen is called upon to pay towards the cost of maintaining the Crown, the army and the navy, the diplomatic and the civil services, and for meeting the other charges which are classed as imperial, are known as taxes. On the other hand, those he pays for municipal purposes, for public education, and for the relief of the poor, are known as rates. The plan under which rates, or local taxes, are assessed is the same all over England. It is based upon the Poor Law valuation. The valuation is fixed by an assessment committee, elected from the local board of guardians for the relief of the poor; and on this valuation every householder pays rates for the support of the poor, for the administration of municipal government, and for the maintenance of the public schools established and carried on under the Elementary Education Act of

1870. With the aid of a surveyor or an expert in real-estate values, the assessment committee determines what is the fair rental value of a house or a shop, settles its assessment for rating purposes at about two-thirds of the rental value; and upon this basis, until the next assessment revision, all local rates are determined. When the assessment committee is in session, the owner or occupier of property about to be assessed may submit evidence in rebuttal of the evidence of the surveyor acting for the committee; and if after this hearing he is dissatisfied with the assessment, he may carry his appeal to the law courts, — first to the quarter sessions for the hundred or division of the county in which his property is situated, and, if need be, on to the higher courts in London.

All rates are paid by the occupier of the property. There is an exception to this rule, made in the case of cottage property, in respect of which, with a view to saving time and loss in collection, a system of compounding is adopted. Under this arrangement the owner agrees to be responsible for the rates, and is allowed a considerable discount for carrying the responsibility. He recoups himself by adding the amount of the rates to the weekly rentals paid by his tenants. This system applies only to the smaller houses occupied by the laboring classes. It is well to explain this exception to the rule; but, generally speaking, the occupier is responsible for the rates, and it is his property which is liable to seizure in case of default.

Churches and public schools form the only class of property which is exempt from rating. Rates are paid in respect of all Government property, such as post-office buildings, custom-houses, prisons, military barracks, and fortifications. In some of these cases, as in case of railways and machinery in use in factories, forges, and collieries, a somewhat different system of assessment is adopted from that based on rental values.

Perhaps the simplest way of explaining the rating system is to take the case of an individual, place him in a house of a given rental value and an ascertained ratable value, and show what would be his contribution to the municipal and Poor Law charges of the borough. The Poor Law system and its working will be dealt with in a later chapter; but, while dealing with rates and the manner of their assessment and collection, it may save repetition to take the municipal and Poor Law charges together.

An example easily followed is that of a middle-class householder living in a house rented at fifty pounds per annum. A house of this rental would be assessed for rating purposes at, say, thirty-eight pounds per annum. Rates in the provincial towns of England range from five shillings in the pound, to as high as eight shillings and twopence in the pound. By "in the pound" is meant that this sum — this five shillings, or this eight and twopence, as the case may be — has to be paid by the householder on every pound of the assessed rental value of his house. The householder, taken as an illustration,

is living in a moderately rated borough, one in which the total rates amount to five shillings and eightpence in the pound, made up as follows:—

	s.	*d.*	
Improvement Rate	3	0	in the £
Sewers Rate	0	4	"
Borough Rate	1	3¾	"
Poor Rate	1	0¼	"
Total	5	8	in the £

In this case the householder whose rent is fifty pounds, and who is assessed for rating at thirty-eight pounds, would have to pay a total amount in rates of £10 15*s.* 4*d.* His bill would stand thus:—

	£	*s.*	*d.*
Improvement Rate, 3*s.* x 38	5	14	0
Sewers Rate, 4*d.* x 38	0	12	8
Borough Rate, 1*s.* 3¾*d.* x 38	2	9	10½
Poor Rate, 1*s.* 0¼*d.* x 38	1	18	9½
Total	10	15	4

Three of these rates—the Improvement, the Sewers, and the Borough Rate—are for municipal purposes. Only two of them, however, except in special cases, are collected by an officer in the service of the town council. The Borough Rate and the Poor Rate are collected by what are known as Overseers of the Poor. These officials are elected every year by the ratepayers in open meeting. Their offices are entirely honorary; but the actual work of collecting the rates is undertaken by an assistant overseer,

who is appointed by the guardians of the poor. When the guardians of the poor have determined what sum will meet their expenditure for the year, and the town council have determined what charges will come against the borough fund as distinct from the improvement fund, they each serve their precept upon the overseers, who levy the necessary rates, obtain for them a legal sanction by securing the indorsement of the local magistrates, and then proceed to their collection.

Certain charges in connection with the administration of the county — that is, the rural district lying outside the boundaries of the borough and under the control of the county council — come against ratepayers living within the borough. In the borough which has been taken as an example, these charges amount to a rate of two pence and three-eighths in the pound, and are included in the Poor Rate. Representatives from the borough are elected to the county council, by which body this rate is levied and the sums accruing from it are expended. All rates in the municipalities are collected in two instalments.

In most of the large towns the gas and water undertakings are in possession of the municipalities. Where this is the case, water is either supplied by metre, or a water-rate is paid on the same basis as the improvement-rate. The Poor Law valuation again comes in, plus extra charges for baths and high-level services. As regards the gas supply, that of course is paid for by metre. None of the water

or gas undertakings have been established by the municipalities. They were all started originally by joint-stock companies, and have been taken over by the municipalities under compulsory powers obtained from Parliament. Manchester led the way in the acquirement of water-works in 1847; Liverpool followed in 1850; and the movement has been going on, until, in 1893, Bristol was the only large provincial city in which the water-works were in the hands of a private company.

The municipalities of England had enjoyed popular representative local governing institutions for nearly forty-five years before a similar system of government was established for the counties. It was not until 1888 that Parliament took county administration out of the hands of the magistrates and placed it in the hands of a body elected on a popular franchise. The magistrates, who still exist, but who are now shorn of nearly all their powers of local government, were, and still are, appointed by the Lord Chancellor on the nomination of the Lord Lieutenant, who is the Queen's representative in each county. They met in quarter sessions and administered the local affairs of the county. They exercised control over the county police force, had the management of the county lunatic asylums and the industrial schools, the county bridges, and main roads, and had vested in their care the county halls, the assize court buildings, the judges' lodgings, the court-houses, and the local justice rooms and lock-up houses. They also dispensed all the county patronage, and generally

speaking acted for the county in the same manner that a town council acts for a municipality. There was, however, this difference, — a town councillor was elected for three years, and was responsible to his constituents, while the county magistrate, when once placed on the bench by the Lord Chancellor, was appointed for life, and was responsible to no constituents.

The Act of 1888 disestablished the nominated local governing body, and left to the county magistrates only their duties as justices of the peace, and a part of their duties in relation to the county police force. Their place for local governing purposes was taken in 1889 by an elected body called the county council. This body is elected every three years on a franchise similar to that on which members of the House of Commons have been chosen since 1885, with the difference that women householders vote for county councillors, while they do not vote for members of Parliament. The rates levied by the county council are assessed like those in the borough on the Poor Law valuation of houses, farms, and other landed property, and are collected through the overseers of the poor in the same way as the rates for the Poor Law guardians are collected.

The work of the county council is divided among committees; and, as with the town councils, the county councillors and the county aldermen deliberate and vote together. The chairman has no other title than that of chairman, and exercises almost exactly the same powers as the mayor of a borough.

The county council meets at the county town, where the shire hall and the county offices are established. No pay attaches to the office of county councillor, nor is there any allowance for travelling expenses to and from the county town to attend the council meetings and those of its committees. A county council does not discharge quite all the duties that are discharged by a town council. Some of the more local duties connected with the administration of sanitary laws are discharged by what are known as rural sanitary authorities. These bodies are elected from the members of the local boards of guardians for the relief of the poor, and exercise jurisdiction within the areas or unions in which the board of guardians with which they are associated discharges its duties in connection with the poor laws. It is over the widely scattered and thinly populated country that the rural sanitary authority exercises its powers — over the isolated little villages and hamlets which are not large enough to maintain local governing bodies of their own.

Between the villages and hamlets, and the towns large enough to be incorporated under the borough system, there are small towns in which municipal government is carried on by local boards of health. These boards are elected annually by open voting. Their powers are not nearly so varied or extensive as those of a town council; but the boards serve their purpose until the towns become sufficiently large to apply to the Privy Council for incorporation. All these smaller places, both the villages and

hamlets under the rural sanitary authorities and the towns governed by local boards of health, are policed by the county constabulary, a force which is under joint control of the county council and a committee of the county justices.

London, as regards its municipal government, is unlike any other city in England. It was left out of the great measure of reform passed in 1835, which, as has been shown, is the basis of municipal life in all the other large towns and cities — of the municipal life, in fact, of every town which has a mayor and corporation; and it was not until 1888, when Lord Salisbury's administration undertook the reform of county government, that London, with its five million inhabitants, was given a great central governing body, elected on a popular franchise. Even then the whole of London was not included in this long delayed measure of municipal reform.

The City of London — the square mile or so of territory of which the Mansion House or the Bank of England may be taken as the centre — is now, as for centuries past, governed from the ancient Guildhall by the lord mayor, aldermen, and common councillors, elected on a franchise the like of which has no existence elsewhere in England. It is confined to the freemen of the city who pay rates to the amount of thirty shillings per annum. What is known as the City has no connection with the county council which governs Greater London. The City of London — this city within a city — has its own municipal life and privileges, its own peculiar

way of electing its common councillors, its aldermen, and its Lord Mayor. It has its own police force, and shares nothing in common with Greater London, except the Fire Department, the administration of the Elementary Education Acts by the London School Board, and that of the hospitals for the insane and for infectious diseases by the Metropolitan Asylums Board.

Before the reform of 1888, which for the first time gave Greater London a popularly elected central governing body, all the vast portion of the metropolis which lies outside the ancient city boundaries was governed by nearly a hundred separate local bodies. The majority of them — all the older ones, in fact — were known as vestries; the newer ones as boards of works. Each vestry and each board of works was responsible for the local government of a defined area, and elected from its own membership representatives to a central authority known as the Metropolitan Board of Works.

The vestries took their names from the ratepayers' meetings held in the parish churches in the days now gone by when, all over England, ecclesiastical, municipal, and poor-law affairs were closely connected, and when the rector or the vicar had duties towards his parishioners other than those which were ecclesiastical and spiritual. In most cases the modern London vestry, now no longer connected with the church, has administrative control for municipal purposes over an area which is

identical with the geographical limit of the old ecclesiastical parish.

As London has grown, and as population has become more congested, the ecclesiastical parishes have been divided and subdivided; but the area of the administrative vestry, the vestry charged with local government, has remained the same. Some of these vestries, like that of St. Pancras on the north side of the Thames, or Lambeth on the south side of the river, exercise powers for municipal purposes over populations almost as large as those of Manchester or Liverpool, and over electorates which have three or four representatives in the House of Commons. All ratepayers vote at the elections for these vestries; but for membership there is a rating qualification, limiting it to the comparatively well-to-do classes.

The Act of 1888, which established the London County Council, did not greatly interfere with the local governing duties of these vestries. The Act abolished the Metropolitan Board of Works which was elected from the vestries, and established in its stead a popularly elected council, with one hundred and thirty-seven members. Two of these are elected from each of the fifty-nine divisions into which London is divided for Parliamentary elections, while the other nineteen are aldermen, and are elected, as in the case of the provincial town councils, by the council itself. The aldermen are elected for six years, the county councillors for three.

To this new representative body were transferred

such powers as the old Metropolitan Board of Works had exercised over the vestries and the district boards of works, and had also enjoyed in connection with the administrative affairs of Greater London. These powers are extremely varied, as will readily be understood when the area and the vast population of London are called to mind. The County Council has charge of all metropolitan as distinct from local and district improvements, of the Thames Embankments, of the bridges and ferries, the fire brigade, the parks and recreation grounds, the main drainage works, and also the issuing of licenses for theatres and music halls. Unlike the large municipalities in the provinces, the London Council has no control over either the police force, or the water and gas supplies. The Metropolitan Police, as distinct from the City of London police, the police of Greater London, in short, are under the direct and absolute control of the Home Office, a government department at Whitehall, charged with the administration of criminal law, the prisons and penal establishments, the carrying out of factory legislation, and the regulation and inspection of mines.

Londoners are rated to the amount of fivepence in the pound on their Poor Law valuation towards the cost of maintaining the police force; but their representatives on the County Council have no direct voice in the organization or management of the force. For all practical purposes the Metropolitan Police is as much an Imperial force as either the army or the navy. The Home Office is responsible to Parliament

for its management, as the War Office or the Admiralty is responsible for the army and the navy respectively; but the force is in no sense under municipal control, as is the police force of Manchester or Liverpool. When the bill establishing the London County Council was before Parliament, the Radicals, who were then in Opposition, sought to put the London Council in the same position towards the police as that held by all the larger provincial municipalities. It was argued, however, that the London police, from the nature of things, could not be put on this municipal level, and the Government successfully resisted the attempt of the Radicals to amend the bill in this direction.

London, which at the present time requires something like 200,000,000 gallons of water a day, receives its supplies from eight dividend paying companies. Some of these companies take their water from the non-tidal portion of the River Thames, and from the River Lea. The others take theirs from wells in Kent. The aggregate capital of these concerns is fourteen or fifteen millions of pounds. Several Parliamentary projects for taking over these companies, and investing their works in a public trust, have been discussed, and have even reached a Parliamentary stage; but London is still behind Manchester and Liverpool in this respect, and Londoners are still paying £1,700,000 a year for their water supply; the share-holders are still receiving dividends which average seven per cent; and as water rates in London, like so many other rates all

over England, are paid on the Poor Law valuation of the property, the shares of the water companies automatically rise in value with every quinquennial increase in the ratable value of the metropolis, and each year which goes by makes the water problem more difficult of solution ; that is, of a solution which shall take the form of putting the municipality in possession of the monopolies which have been so long and so bountifully enjoyed by the stock-holders in the water companies. It is the same with the gas supply, although the question of taking over the gas works and working them in the interests of the rate-payers has not been discussed to anything like the same extent as the taking over of the water supply.

The meetings of the London County Council are held weekly, sometimes twice in a week when business is pressing; but, as is the case with all municipal councils in England, the actual work is done in committee. Of these committees there are twenty-four or twenty-five. Politics have from the first entered largely into the proceedings of the London Council. At the first election in 1889, the London Radicals stole a march on the Conservatives, and carried all before them. They elected a Radical chairman, Radical aldermen, and generally organized the Council to their own liking. Later on the Radicals took the name of Progressives, while the Conservatives were given the name of Reactionaries by their opponents. In Parliament in 1893, the Conservatives representing London were thirty-eight to twenty-five Gladstonian Liberals. London, as regards national

politics, is Conservative; but the London Conservatives, who are largely of the middle classes, are always apathetic as regards local government. The Radicals, on the other hand, have been extremely active since the County Council was established; and to this fact, and to the indifference of the London middle-class householder to local politics, is due the control which the Radicals, the Socialists, and the Labor Party obtained and held during the first six years of the existence of the London County Council.

Politics have little to do with the appointment of office-holders under the County Council. A large number of the heads of departments, clerks, and other employes were taken over from the old Metropolitan Board of Works. Others have been since appointed to fill vacancies or to add to the staffs; but it is doubtful if a single appointee owes his position to political influence or anything of the nature of a "pull." Influence and "pulls" have not much to do with local politics in England, whether as concerns the larger or the smaller municipalities; and seldom, if ever, is a man put in a salaried office as an acknowledgment or a reward of political service.

The London vestries are in a measure subordinate to the County Council, and are charged with the administration of affairs of local as distinct from metropolitan concern, such as sewering, cleaning, repairing, and lighting the streets, and the enforcement of the numerous sanitary laws. The County Council and the vestry are the two bodies with which a Londoner who is the occupier of a house or shop,

a warehouse or an office, outside the City of London, comes into contact in respect to all municipal affairs. These two bodies have powers to tax him for local and metropolitan purposes respectively; and through the vestry he pays all his rates. It is through the person of the collector from the vestry that the ratepayer comes into financial relationship with all the administrative bodies in London which have powers to tax the householder. These bodies include (1) the vestry itself; (2) the London County Council; (3) the Local Board of Guardians for the Relief of the Poor, (4) the Metropolitan Asylums Board, the body which has charge of all the hospitals in London maintained out of the rates; (5) the London School Board, which administers the Elementary Education Acts in the metropolis; (6) the police commissioners, and (7) the commissioners of public baths and wash-houses.

There are six of these bodies, in addition to the vestry; and for all of them the vestry acts as collector of rates. Most of these rates, and in particular those levied for the School Board, the London Council, the Metropolitan Asylums Board, and for the expenses of the police force, are uniform in all the vestry and local board of works areas. Those which vary in different districts of the metropolis are the rates levied for the expenses of the vestry, and for the administration of the Poor Laws.

Five shillings in the pound may be taken as the average of the total rates paid by the householder in the nearer residential districts of the metropolis. As was explained in describing the rating system of

the provincial towns, this means that the householder has to pay five shillings in respect of every pound of his Poor Law valuation. This rate may appear low in comparison with the average rate in provincial towns; but in London, house rents are much higher than in the provinces; hence the total rates paid by a householder average more in London than in most provincial towns. If a man occupies a house in London rented at fifty pounds and assessed at thirty-eight pounds, his total contribution to the various local administrative bodies, his quota towards the cost of municipal government, the administration of the Elementary Education Acts and of the Poor Laws will be nine pounds ten shillings, or in round figures a sum approximating to one-fifth of his rent.

In London, as in the provinces, all local rates are paid by the occupier. If a man owns the house he occupies, it is rated on its assessed rental value. London rates are collected quarterly, and each quarterly instalment is paid in advance. In case of default, the rate-collector can obtain a distress warrant from the magistrates, and seize the defaulter's household goods or his stock in trade. All electoral franchises in England are based upon the payment of rates; and if a householder fails to pay them, he loses his vote not only for the town council or the vestry, the board of guardians for the relief of the poor and the school board, but also for a member of Parliament.

CHAPTER II.

THE POOR LAW AND ITS ADMINISTRATION.

Antiquity of the Poor Law. — The Church and early Poor Law Systems. — The "Pig-Sty Era." — Poor Law Relief and Laborers' Wages. — Sir Erskine May's description of Rural England at the end of the "Pig Sty Era." — Reform of 1834. — Local Government Board and Poor Law Administration. — Local Poor Law Administration. — An Election of a Board of Guardians for the Relief of the Poor. — Safeguarding of Property Owners. — The New Democracy and Poor Law Politics. — Recent concessions to the Democracy. — Women as Poor Law Guardians. — The principle of the Poor Law System. — In-door and Out-door Relief. — The Workhouse and its internal management. — Tenure of Poor Law Officers. — A Board of Guardians in session. — Typical applicants for relief. — Poor Law and Old Age. — Pauper Children. — Medical Relief outside the Workhouse. — Treatment of Tramps. — Some characteristics of the English Tramp. — Women and Children of the tramp class. — Cost of the Poor Law system. — Rating for Poor Law purposes. — Parliament and Poor Law Boards.

ALTHOUGH the present Poor Law system dates only from 1834, two years later than the measure which gave England a representative House of Commons, and one year earlier than the establishment of the system of municipal government which has been described in the preceding chapter, England has had a Poor Law system of one kind or another for nearly three centuries and a half. An Act of Parliament passed in 1551 threw upon the Church the duty of systematically relieving the poor, and imposed upon the rectors and vicars of parishes the work of collecting alms for this purpose. This measure, so far as

the alms-giving was concerned, seems to have been voluntary, and not to have worked satisfactorily; for in 1601 the law was made compulsory. The Church still remained the centre of the Poor Law administration, as under the Act of 1551; and in Easter week each year at meetings of the parishioners held in the church vestry, overseers were elected to carry out the provisions of the law. Overseers are still annually elected at meetings of the ratepayers, and still levy the rates for the relief of the poor, and are responsible for their collection. In the municipal boroughs the Church has no longer any part in the election of these overseers of the poor; but in the smaller villages, in which sanitary laws are administered by the rural sanitary authorities, the annual meetings of the ratepayers are still held in the vestry of the parish church, and the rector or the vicar is, by virtue of his office, chairman of the vestry meeting.

The history of the English Poor Law system easily divides itself into four epochs. The first commenced with the semi-voluntary system, which lasted from 1551 to 1601. The second dates from the Act of 1601, providing for the election of overseers of the poor, and lasted until 1760. Then comes the epoch from 1760 to 1834, and finally the one which embraces the existing system.

The leading characteristics of the epochs from 1551 to 1601, and from 1601 to 1760, have been briefly touched upon. The new era of the Poor Law will be described presently. The third of these epochs, that from 1760 to the reform of the system

in 1834, is known in history as the "Pig Sty Era" of the Poor Law System. During the three-quarters of a century over which it extended, it seems to have been the intention of Parliament by its Poor Law legislation to restrict the wages of the laborer for the benefit of the employer, and to have been regarded as the duty of the legislature to provide for all who were destitute; to take it for granted that the laboring population was chronically and irretrieveably destitute, and that consequently it was the duty of the State to provide for all the laboring classes by means of the Poor Law. From 1760 until the end of the eighteenth century, the Poor Laws were framed and administered in this spirit; so much so that the self-relying and independent laborer had been practically legislated out of existence by the commencement of the nineteenth century, and a condition of things almost appalling was exposed by the Royal Commission on the Poor Laws which reported in 1833, and upon whose report Parliament at once took action. In the year that the Royal Commission presented its report, the enormous sum of £8,600,000 was expended on Poor Law relief, and in many parts of England the sums due from farmers for poor rates equalled those which they paid the landlords for rent. In 1833 the population of England was about 15,000,000; in 1891 it was 29,000,000, and the total amount expended in the relief of the poor was £8,643,000.

How the £8,600,000 expended in the last year of the "Pig Sty Era" was disbursed, is graphically told

by Sir Erskine May in his "Constitutional History of England." "The fund intended for the relief of want and sickness, of age and impotence," he writes, "was recklessly distributed to all who begged for a share. Every one was taught to look to the parish and not to his own honest industry for support. The idle clown, without work, fared as well as the industrious laborer who toiled from morning to night. The shameless slut with half a dozen children, the progeny of many fathers, was provided for as liberally as the destitute widow and her orphans. But worse than this, independent laborers were tempted and seduced into the degraded ranks of pauperism by payments freely made in aid of wages. Cottage rents were paid and allowances given according to the number of a family. Hence thrift, self-denial, and honest independence were discouraged. The manly farm laborer who scorned to ask for alms found his own wages artificially lowered, while improvidence was cherished and rewarded by the parish. He could barely live without encumbrance; but boys and girls were hastening to church without a thought of the morrow, and rearing new broods of paupers to be maintained by the overseers."

The new Poor Law was passed by Parliament in 1834; and the oversight of its administration was placed in the hands of a special board of commissioners, then known as the Central Poor Law Board. This board, which was not represented in Parliament, was continued until 1847. In that year it was reconstructed and placed under the presidency of a

minister with a seat in the House of Commons—a reconstruction putting it on a political level with the Home Office and the other important Government Departments at Whitehall. The Department was henceforward known as the Poor Law Board, and continued to be so named until 1871, when there was another reconstruction. This time the Poor Law Board took over from the Home Office various duties in respect of municipal government and public health, and from the Privy Council the oversight of the administration of the vaccination laws and other powers, and its title was changed to that of the Local Government Board. Since then hardly a session of Parliament has passed in which its duties and responsibilities have not been added to, until at the present time the Local Government Board is more directly in touch with the people of England and Wales than any other Government Department. There is not a village in the land which its inspectors do not visit or to which the official communications of the Board are not addressed.

What the Central Poor Law Board did in 1834 was to divide England and Wales into eleven Poor Law districts, to subdivide these districts into union counties, and again subdivide these into unions, which are the local units for Poor Law administration. There were in 1892, 648 of these Poor Law unions, with an average population of 45,000 per union. Each union is independent of its neighbors, and answerable only to the Local Government Board for the way in which it administers the Poor Law

within the territory over which it exercises jurisdiction, and within which it has the power of levying poor rates. A number of parishes or townships are grouped together to form one union. They jointly bear the cost of building and maintaining the workhouse, and of relieving the resident and vagrant poor. The superintendence of the local administration of relief is in the hands of the Board of Guardians for the Relief of the Poor. In the majority of unions this board is elected annually. Annual elections were at first the invariable rule; but within the last few years some of the unions, with the sanction of the Local Government Board, have adopted the plan of triennial elections, and claim to have effected some economy, and secured a better and more uniform administration of the law, by the change.

The voting at the election of a board of guardians is not by ballot, as at an election of a town council or a school board. Papers are delivered by the police at the house of every ratepayer who has paid his or her quota to the relief of the poor, and are collected after they have been filled up by the householder. The householder may vote for as many members as there are to be elected from the township in which his house is situated. Thus, if there are seven members to be elected for a certain township, the ordinary elector may vote for seven out of the total number of candidates nominated. Plural voting is part of the system, and a ratepayer's votes are in proportion to the annual sum which is levied upon him for the maintenance of the poor. Plural voting was intended by

Parliament as a protection to the property-owning classes; and to the same end the Act of 1834 provided that all county magistrates living within the area of the union should by virtue of their being of the magistracy be also members of the board of guardians. Nor were plural voting and the privileges of county magistrates in connection with Poor Law relief the only protection to property owners. Until 1892 in most unions there was a property qualification which limited membership of the board exclusively to the landed and well-to-do middle classes.

The fixing of the amount of the qualification was left by Parliament in the hands of the Local Government Board. All that the law stipulated was that the property qualification should not exceed a ratable value of forty pounds. Usually the guardians of the union reported to the Local Government Board what would be a convenient and a desirable qualification in their union, and the Board almost invariably acted upon this local recommendation. Thus it came about that the qualification varied from a ten pound ratable value in some of the smaller provincial unions in which house rents were low, to the maximum figure of forty pounds in some of the unions of London, where there is a wealthy residential population, or where the professional and trading middle classes desired to retain the administration of the poor law in their own hands, and to keep off the board those who paid but small amounts to the poor rate.

Until after the Parliamentary Reform Act of 1884, the Act which enfranchised the small householders

in the rural districts, there were no serious complaints about this rating qualification for Poor Law guardians. But as the result of this Act, the number of workingmen members of the House of Commons was increased from two to eleven or twelve; and between the 1885 General Election, the first at which the new rural voters exercised the Parliamentary franchise, and the General Election in the summer of 1892, which returned Mr. Gladstone to power, after he had been in Opposition for seven years, a large number of workingmen had gone into local politics, and had been elected to town councils, county councils, and school boards all over the country.

Workingmen had also turned their attention to the boards of guardians, only to find themselves warned off by the high rating qualification. There is no property qualification for membership of the House of Commons, or of a town council, or a school board; and the Radicals complained that it was unreasonable and archaic that such a qualification was maintained in connection with Poor Law boards. Accordingly, when Mr. Gladstone's government came into office, Mr. Henry Fowler, M.P., the President of the Local Government Board, reduced the qualification to five pounds. Up to this time national politics had had little to do with Poor Law guardians' elections. Men were usually elected to the boards because they had time to give to the board's business, because they were trusted by their neighbors, and frequently because they were large ratepayers, and on this account, it was assumed, would work

for an economic administration of the Poor Laws. "Keep down the rates" is the maxim of these men, and it is the maxim of the large ratepayers who supported them at the elections. It was the desire of the Radicals to share more largely than heretofore in the work of administering the Poor Laws, which led to Mr. Fowler's order of 1892, reducing the rating qualification; and from this order, or rather from the agitation which preceded it by two or three years, must be dated the introduction of national politics into the administration of the Poor Law system.

No pay, no perquisites, no patronage, and no privileges of any kind, attach to the office of Poor Law guardians; and as a general thing there is no great competition for places on the boards. A member of a town council usually takes the platform when he is seeking re-election, and goes over his votes and actions in the council before meetings of his constituents. Meetings, however, are seldom held for the purpose of discussing the acceptability of this or that candidate for membership of a board of guardians, for reviewing the work of a retiring board, or influencing or directing the policy of a board about to be elected. The elections, as a rule, take place without evoking any enthusiasm or stir among the ratepayers, and none of the local governing bodies go about their work more quietly and unobtrusively than the Poor Law guardians.

Women vote at the elections of Poor Law guardians. There is no law prohibiting women from acting

as members of the boards; but it was not until 1875 that a woman was elected. In that year Miss Martha Merington was elected to the Kensington Board, London; and since that time there has been a gradual increase in the number of women elected as guardians.

The duties of a board of guardians are strictly administrative, and are all defined with great care by the Local Government Board. The principle of the Poor Law is to relieve destitution, but in so doing, to take care not to place the recipient of relief in a better position than that of the lowest class of self-supporting and independent laborers. All who are destitute are entitled to relief without any question as to character or antecedents. It lies with the board of guardians only to determine in what form the relief shall be given. There are two systems of relief under the Poor Law—in-door and out-door, and both Parliament and the Local Government Board have always left it to the unions to decide whether they will work both systems. It is within the power of a board of guardians to say that in their union there shall be no out-door relief, and that all persons in need shall go into the workhouse, or look to other sources than the rates. In the majority of unions, while both systems are maintained, the tendency is to confine relief as much as possible to that administered within the workhouse; in some, out-door relief has been abolished altogether, and the workhouse is all that is offered to the applicant for relief.

A union in which both the in-door and the out-door

system are in force affords the best illustration of the working of the Poor Laws. Each union maintains a workhouse of its own, built in some central part of the union area. A municipal borough is often included in a union, as well as a number of the outlying rural townships. In this case the workhouse is usually situated within the limits of the borough. The house is in charge of a master and a matron, aided by a porter who has charge of the gates, and usually acts as labor master. The doctor and relieving officers have offices within the workhouse; but their duties, especially those of the relieving officers, are mainly on the outside.

The master has almost absolute control within the workhouse. The other officers in the service of the board are the clerk, who is generally a lawyer; the assistant overseers who collect the poor rate, under the supervision of the overseers, appointed at the town meeting; the public vaccinator, and the registrar of births and deaths. All the officers under the board are appointed without any reference whatever to their political opinions. They hold office during good behavior, and the board of guardians may not discharge the humblest of them without the sanction of the Local Government Board. In this respect they are in a better position than officers in the service of the municipal authorities who have not this appeal to the Local Government Board.

A board of guardians in an ordinary-sized union meets fortnightly, as a rule, for the purpose of passing on the work of the several committees into which

the board divides itself, and for hearing and determining all applications for relief. Relief cases are heard in private; reporters are admitted when the other business is under consideration. The meetings are regularly reported in the newspapers; but Poor Law politics do not command the same newspaper attention as the proceedings of a town council. The difference is due to the fact that much of the work of the Poor Law guardians is purely routine. The guardians when sitting for the dispensation of relief are compelled to give a hearing to all who apply. The only condition is that a preliminary application shall have been made to one of the relieving officers. The intention of this rule is to permit a full inquiry before the cause is adjudicated upon.

A few typical cases will serve to show the mode of procedure of the board in dealing with applicants for relief. The first shall be that of a married man with a wife and family who is out of work, or broken in health, and is at the end of his means. Although the union may be one in which both out-door and indoor relief is granted, this applicant would not be at all likely to receive out-door relief. After he had stated his case, he would be told that he and his family might go into the workhouse; for none but medical relief, except in special circumstances, is ever given outside the workhouse to able-bodied paupers. If the applicant accepted this offer, and went with his family into the workhouse, he would be separated from his wife and children, but allowed to see them once each day. Husband and wife would have

to work in the house. The husband could discharge himself at any time on giving a few hours' notice to the workhouse master; but when he left he would be compelled to take his wife and family with him, and if he desired to return, he would have to make a second application to the board of guardians.

Another case which will illustrate the administration of relief, is that of a widow who has been left with three or four young children. If she could show to the guardians that she was making an effort to maintain her home, and that her relatives were helping her, the guardians would probably vote her an allowance of three or four shillings a week, and a small allowance for each child. If the applicant appeared to be a shiftless and ill-managing woman, with an indifferent character, she would be offered the house as the only alternative. When once in the workhouse, until a pauper discharges himself, he is practically a prisoner, and is compelled to observe rules and regulations almost as stringent as those enforced in a penitentiary. He is allowed out occasionally; but the time of his going and returning is rigidly fixed, and any tardiness in returning will bring upon him a sharp punishment. Uniforms are worn by all inmates, — men, women, and children.

There is another class of cases which may be cited as illustrating the working of the Poor Law. It is that of married women who have been deserted by their husbands. Usually when a woman so deserted applies to the guardians for relief, she is offered the house; and as soon as she has become

an inmate, and thereby become chargeable to the Poor Law, the relieving officers and the police officers for miles around are on the look-out for the runaway husband. When he is arrested, he is taken before the magistrates and ordered to repay to the guardians the amount which they have expended on his wife and children. If he fails to do so, he is sent to prison for three weeks or a month. The machinery in the hands of the Poor Law is practically the only means by which a married woman of the working-class can obtain redress against a husband who has deserted her for another woman. There is no criminal law under which she can secure her husband's punishment, and the guardians cannot take action until the deserted wife has become chargeable upon the funds of the union.

Two classes of resident poor give the guardians great trouble. These are the able-bodied, but lazy and good-for-nothing men who will not maintain their wives, except when compelled to do so by fear of imprisonment, and the women who are mothers without being wives. The guardians act towards the putative fathers of the children of these women as they do towards recreant husbands; and if the men fail in the payments which the magistrates have decreed they shall make, they are sent to prison, but cannot be detained there for more than a month at a time. When these men come out of prison at the end of one month, they are allowed another free month in which to make some attempt to pay off arrears. If they fail to do this, back again they go to prison.

As in the case of a woman deserted by her husband, these mothers who are not wives have to become chargeable upon the poor fund before the guardians can take action against the putative fathers. Over the women themselves the guardians have no very effective control. The women can practically come and go into and out of the workhouse as they like. They can discharge themselves whenever it suits them to do so, and can come back when their condition renders their return absolutely necessary. Destitution is the only condition necessary to their admission to the workhouse, and the only condition attendant upon their discharging themselves is the one which compels them to take their children with them.

The cases which have been cited are typical of many of those which come before the Poor Law guardians when they are in session for the administration of relief. There is still another class of cases to be cited, that of old people of good character, who have reached the time of life when they are no longer able to work, but whose misfortunes or poor circumstances all through life have not admitted of their making any provision for old age, or indeed of more than meeting their immediate and pressing demands. The case of these old people in unions where out-door relief is not granted is peculiarly hard. In such unions nothing is offered to them but the workhouse; and once inside the workhouse, no distinction is drawn between them and the men and women whose lives have been vicious or criminal.

In unions like the one which has been taken to illustrate the working of the relief system, in which both out-door and in-door relief is administered, old people of good character who are living with members of their family, or with friends who can partially support them, would receive a small weekly allowance from the guardians, varying from three shillings and sixpence to five shillings per week. In all cases of this kind, where there are sons, the guardians seek to recover some contribution from them towards the allowance which is made from the union fund to their parents. If a son fails to come to some arrangement with the guardians, he is summoned before the magistrates. The guardians will follow a man to any part of the country, to recover some contribution towards the cost which they may have incurred in making an allowance to his father or his mother, or in maintaining one or both of them in the workhouse.

The only other class of resident poor who are dealt with by the guardians inside the workhouses, or in institutions managed by the guardians, are orphan or deserted children and the children of pauper parents who are themselves in the workhouse. Great care is given to the education of these children. In some unions the children attend school within the workhouse; in others they are sent out to the elementary day schools in the neighborhood. In other unions schools and homes for the children are established apart from the workhouse; and in others, again, the children are boarded-out in the homes of laboring

families. The aim of the guardians who adopt either of the last two plans — the separate school system, or the boarding-out system — is to eradicate the pauper taint and to give the children a good start in life; but no matter which of the four plans is adopted, all the children who come under the care of the Poor Law guardians are given as good an elementary education as is given in the free elementary day schools established under the school boards. In the case of boys, more care is taken as to their apprenticeship to trades than is bestowed on thousands of the boys of the laboring, artisan, and lower middle classes. Few of the boys from the Poor Law schools are allowed to grow up without a trade or handicraft, and thus drift into the ranks of clerks of a poor grade, or of unskilled day laborers. Domestic service claims most of the girls from the Poor Law schools.

The guardians of the poor are intrusted with the care of pauper lunatics; that is, of those lunatics whose friends are not sufficiently well off to be able to maintain them in private asylums. Pauper lunatics are not maintained in the workhouses, but in asylums which are common to all the unions in a county. A fixed charge is made upon each union for every pauper from its area who is confined in the county asylum. Until 1888 the asylums were managed by the county magistrates; but in that year this duty was turned over to the county council. A committee from each board of guardians pays periodic visits to the patients from its union who are detained in the county asylum. The preliminaries connected

with sending a patient there, such as the obtaining of the necessary order from the magistrates, and the conveyance of the patient from his home to the asylum, are in the hands of the officers of the board of guardians. In cases in which the patient's friends can afford to make some payment for his maintenance, the money is collected by the board of guardians in much the same way as money is collected from a man who is compelled to pay for the maintenance of his father or mother in the workhouse.

With one exception all the methods of relief applicable to the resident poor have now been described. The exception is the medical relief granted to persons outside the workhouse. For outdoor medical relief purposes, each Poor Law union is divided into districts, and to each district a medical officer is appointed, who is known as the parish doctor. People who are in need of medical aid, and who are too poor to call in an ordinary doctor, procure in the first instance an order from the local relieving officer. This is then presented to the medical officer, whose duty it is to act upon it at once. The order of the Local Government Board to each of these parish doctors is that he "attend duly and punctually upon all poor persons requiring medical attendance, and supply the requisite medicines whenever he may be lawfully required by an order of the guardians, or of a relieving officer, or of an overseer." When articles of food are necessary for a patient, they are supplied on the recommendation of the medical officer. The

receipt of medical relief in this way, whether by a man or his wife, pauperizes the man, and may result in the loss of his vote. The payment of poor rates is the only qualification for a Parliamentary franchise; and when a man ceases to pay rates, or ceases to occupy rooms or a house in respect of which they are paid, and in any form whatever receives from instead of contributing to the poor fund, his name is struck off the roll of electors, and he is disfranchised for at least one year, often for a longer period, no matter how small the relief he may have had from the union.

One department of every workhouse is arranged for the reception of non-resident poor; that is, for vagrants who are passing through the union. Orders for admission are obtained from the relieving officers, sometimes from the police, and they may also be issued at the workhouse by the master or the superintendent of the vagrant ward. In winter the vagrants are admitted to the workhouse after six o'clock; in summer after eight o'clock. Tramps have always been a source of trouble and perplexity to the Poor Law guardians. While the proportion of ordinary paupers to population has been falling for the last thirty or thirty-five years, the number of vagrants has been increasing. From 1858 to 1871 the number increased at such an extraordinary rate that more stringent regulations were deemed necessary in dealing with them; and in November, 1871, new orders were issued by the Local Government Board. Under these rules, when a tramp was

received at the casual ward, he was searched and bathed, his clothes were taken from him, and, if they appeared to need it, were dried and disinfected. He was lodged in a separate cell, and detained until eleven o'clock the next day, or until he had broken a certain weight of stone for use on the highway, or picked a certain quantity of oakum, a task demanded of him in return for the supper and breakfast of bread and gruel, or bread and soup, and the shelter the workhouse had afforded him. Women vagrants were compelled to pick oakum.

In 1882, about ten years after these rules were adopted, another endeavor was made to reduce the number of tramps applying for relief. This time the Local Government Board asked further powers from Parliament. What is now known as the Casual Poor Act was passed, and under its provisions a tramp may be detained until nine o'clock on the morning of the second day following that on which he is admitted to the casual ward. If he appears for a second time in the same ward within the space of a month, he may be detained until the fourth day. For a time these stringent regulations served to keep down the number of tramps; but as years went on the number again mounted up. The English tramp goes about the country with his womankind and his children. Once of the tramp fraternity, he seldom leaves it, and generally ends his life in a workhouse hospital, or in the old men's ward of a union in which he has managed to secure a settlement.

Each Poor Law union is self-contained, and defrays

the cost of maintaining its own poor and its own workhouse. When urban and rural townships are comprised in the same union, as is frequently the case, two poor rates are levied, one for the municipal area, and the other for the rural townships. The accompanying extracts from the rate papers of a large union in Lancashire, partly urban and partly rural, show how the system of assessment for Poor Law purposes works. The first sets out the demands upon the householders in the urban districts of the union.

	s.	*d.*	
Relief of the poor and other expenditure by the guardians	0	9	in the £
County rate	0	2⅜	"
Borough rate	1	3¾	"
Other expenses of the overseers		0⅞	"
Total	2	4	"

Only the first of these demands is for money expended in the relief of the poor. The county rate is collected by the overseers of the poor as the representatives of the county council, the body which administers local government in its larger sense all over the county. The borough rate is collected by the overseers, and turned in to the municipal treasury. It supplements the charges known as the improvement rate and the sewers rate, which are collected directly by the town council through its own officers. The fourth item on the rate paper goes to the fund out of which is paid the salary of the assistant over-

seers who actually collect the rates, and which covers the other expenses incidental to the offices of the overseers of the poor. The overseers themselves receive no pay or compensation of any kind.

The statement on which the rural householder in the union pays his rates is drawn up thus :—

	s.	*d.*	
Relief of the Poor and other Expenditure by the Guardians	0	9	in the £
County Rate	0	2⅜	"
Expenses of School Attendance Committee	0	0⅝	"
General Expenses of Rural Sanitary Authority	0	1⅛	"
Other Expenses of the Overseers	0	0⅞	"
Total	1	2	

As in the case of the ratepayer living in the urban district, only the first of these charges is for the relief of the poor; and it will be noted that this charge is uniform all over the union area, the same in the town as in the country districts. The second of the charges is collected by the overseers for the county council. As regards the third, the Elementary Education Acts are administered (1) by school boards specially elected for this purpose; (2) in urban districts by town councils; and (3) in rural districts by boards of guardians. When a board of guardians administers the Acts, it appoints a school attendance committee from its membership, and this committee has nearly all the powers of a school board. The fourth of the charges represents the outlay in the

rural townships by the rural sanitary authority in connection with the administration of the health and sanitary laws.

In the ordinary course of things, there is no connection between the Poor Laws and the administration of education and sanitary laws; but as each union has a board of Poor Law guardians, and every parish or township in the country has its representatives on one of these boards, Parliament has always been disposed to put this local machinery to other uses besides that of administering relief to the poor. This disposition of Parliament is seen in connection with the Compulsory Vaccination Acts, the administration of which was thrown upon the Poor Law boards; in the duties under the various Health Acts which have also been imposed on the guardians; and in connection with the Elementary Education Acts passed since 1870. It has always been the tendency of Parliament in passing any new law to look around for an existing local authority upon which the duties of its administration might be thrown.

CHAPTER III.

NATIONAL ELEMENTARY EDUCATION.

Ancient Grammar Schools. — First Elementary Day Schools. — Establishment of the British and Foreign School Society and the National School Society. — Parliamentary Grants to Elementary Education. — Establishment of Education Department. — Appointment of Government Inspectors. — Payment by Results. — Schoolhouses and Government Grants. — Training Colleges for Teachers. — Teachers' Certificates. — Voluntary effort inadequate. — Forster Act of 1870. — Position of Voluntary Schools, School Boards, and Attendance Committees established in every District. — Relations of School Attendance Committees to Voluntary Schools. — Difference between Voluntary and Board Schools. — Compulsory Education and Defaulting Parents. — Conditions under which School Boards are Established. — Objections to School Boards; Economy and the interests of Religious Denominations. — Religious Teaching in Voluntary Schools. — School Board Elections and Politics. — Tenure of School Board Officers. — Legal definition of Elementary School. — Non-sectarian Religious Instruction in Board Schools. — Grants from Education Department. — School Board Rates. — Training of Teachers. — Queen's Scholarships. — The Colleges. — Teachers' Credentials. — Salaries of Teachers. — Evening Classes. — Science and Art Department. — Technical Education and Manual Instruction. — Total annual cost of State-aided Education.

THE elementary day school system of England has been of slow growth. From the time of George III. to within four or five years of the commencement of Queen Victoria's reign in 1837, elementary education was entirely in the hands of societies established by benevolent and public-spirited people — societies which received neither sanction nor aid from Parliament. All over England there were grammar schools with foundations and

endowments, dating back for about three centuries; but these were almost exclusively in the hands of the well-to-do, and at the commencement of the century few schools were available for the children of the laboring classes.

The first society organized to meet this need was the British and Foreign School Society, established in 1808; while the second was the National Society, a Church of England organization, founded in 1811, and strongly supported by the bishops and clergy of the Church. Both these societies are still in existence, and each is now a great power in the educational world. The British and Foreign Society is, and always has been, an undenominational organization supported by people who are dissenters from the Church of England, and largely by Congregationalists and members of the Society of Friends. These two organizations, which in their early days were in a position of rivalry, established elementary day schools in as many places as their funds would permit, and also founded colleges for the systematic training of teachers of elementary day schools.

The societies had been at work, each in its own sphere, for a little more than twenty years before they received any recognition from the Government. In 1833 a grant of £20,000 from the National Treasury was divided between them, to be used in the building of school-houses. The grant was continued each year by Parliament, and in 1839 it was increased to £30,000. There was then established the Committee of the Privy Council on Education, which from that time to

the present has been the Government Department responsible to Parliament for all matters connected with state-aided education. Government inspectors of schools were then appointed; the Education Code was then first drawn up, and what is now known as the payment by results system was then established. Under this system the Government makes a grant for each child who passes the examination held by its inspectors under the provisions and conditions of the Education Code.

The new departure of the Government in regard to elementary education led to the establishment of a large number of day schools, and by 1850 over two thousand schools were in existence, providing accommodation for about half a million children. In 1853, when the Committee of the Council for Education was reorganized, and given a more independent position than it had held from 1839, the annual grant based on the payment on results system had increased to £150,000. By 1861, the number of children in attendance at elementary schools was 700,000, and the Government grant had reached £840,000. Up to this time, and in fact for fifteen years later, there was no compulsory school attendance, except in the case of children who worked half the day in the mills, and were compelled to attend school during the other half. Nor was there any direct attempt on the part of the Government Department administering the fund which Parliament assigned for elementary education, to provide school accommodation in the towns and districts in which it was lacking. Everything was left

to voluntary effort. This meant that elementary education was in the hands of the two great societies whose origin and work have been described, or of local voluntary committees working outside those societies, or sometimes in association with them, which established schools and obtained about half the cost of maintaining them by presenting the children at the examinations held by the inspectors of the Education Department.

In addition to the Government grants for children who passed the examinations, the Committee of the Council on Education in its early years made grants of from £15 to £30 in augmentation of teachers' salaries, on condition of their obtaining certificates of merit. Grants were also made to the two educational societies to aid them in maintaining their colleges for the training of teachers. The training college grants are still continued, and take the form of Queen's Scholarships, which are competed for by pupil teachers every year. The grants in augmentation of teachers' salaries have long been discontinued, as nowadays none but teachers with certificates are ever placed in charge of schools which receive the Government grants. A teacher must have a certificate recognized by the Education Department to obtain work in any of these schools.

Voluntary effort, aided by Government grants, had done much for education in the first sixty or seventy years of the century; but between 1860 and 1870 it began to be realized that voluntary effort alone could not be relied upon to provide the country with a

national system of education. It was evident that Parliament must do something more to this end than allocate a certain sum of money each year, and allow it to be expended by the Committee of the Council for Education in the manner which had been followed since 1833. In 1867 there was a great measure of Parliamentary Reform. The Parliamentary franchise was given to all male householders in the incorporated boroughs. Political life was quickened all over the country as the result of this extension of the electorate, and one immediate outcome of the new activity was the Elementary Education Act of 1870.

The Act of 1870 is known as the Forster Act, for the reason that it was carried through Parliament by the late W. E. Forster, one of the members for Bradford, who, in Mr. Gladstone's 1868–74 Administration, was Vice-President of the Committee of the Council for Education. The Forster Act was supplemented in 1876 by a measure which established permissive compulsion ; that is, compulsion not at the instance of Parliament, but at the instance of the local authority administering the Education Acts. It was amended in 1880 by an act which made compulsory attendance at school general all over the country, and again in 1891 by a measure which practically established free elementary education. The original machinery for carrying out the Education Act of 1870 was left untouched by these successive amending acts, and the Forster Act remains the foundation of the present elementary education system in England.

The difficulty which faced the framers of the Act of 1870 was how to set up a new system without damaging the voluntary schools, and particularly those of the Church of England, which had grown up since the beginning of the century, and in which, in 1870, accommodation was found for nearly two million children. The difficulty was overcome by a compromise, by which school boards were established, not necessarily in every town and village, but only in those places where the elementary school accommodation was inadequate to the needs of the community. The Act of 1870 sets forth that "in every school district there shall be provided a sufficient amount of accommodation in public elementary schools, available for all the children resident in such district, for whose elementary education efficient and suitable provision is not otherwise made, and where there is an insufficient amount of such accommodation the deficiency shall be supplied in the manner provided by the Act." "The manner provided by the Act" means that where voluntary schools are inadequate to the needs of the district, a school board with power to levy local rates shall be established to build and maintain the necessary schools.

Under the Acts of 1870 and 1876 no corner in the land, however remote, was left without some authority to carry out the provisions of the new education law. In an incorporated borough where the school accommodation provided by voluntary effort is deemed adequate, and there is consequently no need for a school board, the town council, through its school attendance

committee, exercises most of the powers which the law confers on the school board; in a rural district, where for the same reason the accommodation is adequate, the duties of carrying the Education Acts into force are imposed on the board of guardians for the relief of the poor, which, like the town council in a borough, delegates its powers to a school attendance committee, for whose expenses the board is empowered to levy a rate.

In places where the accommodation is sufficient, and where it is provided by the Church of England, the Wesleyan Methodists, the Congregationalists, the Unitarians, and the Roman Catholics, the school attendance committees, whether of the town council or the board of guardians, have no .direct control over the elementary schools and their management. The control and management remain where they were prior to 1870—in the hands of private committees, consisting usually of representatives of the subscribers to the school funds. A school of this class owes its existence to subscriptions as distinguished from rates; for although the Government now makes two grants towards schools, one for each child submitted at the annual examination, and the other to replace the school fee abandoned in the majority of schools under the Assisted Education Act of 1891, the amount from these two sources would not be sufficient to maintain the school. The difference must be made up either from rates levied according to the Poor Law valuation on all property in the school board area, or by means of

private subscriptions. It is in this respect that a voluntary school mainly differs from a board school. The teaching in the two classes of schools is the same. The Government requirements as regards attendance, certificated teachers, equipment, and examinations, are exactly the same; but in the case of a board school, the difference between the Government grants and the total cost of maintaining the school is raised in the same way as the rate for the relief of the poor, or for the expenses of a town council, while in the case of a school not under a board, voluntary subscriptions are relied upon to make up the difference.

Where the voluntary school system is in force, the committee of each school carries on its own correspondence with the Education Department in London; it appoints its own teachers without any local outside interference, and raises its own subscriptions. All that the school attendance committee of the town council or the board of guardians does for the schools in its area is to carry out the compulsory provisions of the law. It maintains a staff of inspectors to hunt up children who attend irregularly, and proceeds against parents who are in default in regard to the attendance of their children. In these cases parents are first summoned before the school attendance committee, and if the default continues, they are summoned before the magistrates at the local police court who are empowered to inflict small fines. Poverty of the parent is not a sufficient excuse for the non-attendance of the child at school. Before

the establishment of free schools, in cases in which poverty was pleaded, a school board or a school attendance committee might remit the fee, and such remittance of the fee did not pauperize the parent.

Every parent is compelled to send his child to school. Under the Act of 1891, he can, however, demand that a free place be found for his child in some school in the town. Only on three grounds can attendance be excused: (1) that the child is under efficient instruction in some other manner, that it is taught at home or attends a school where the instruction given is at least equivalent to that given in the elementary schools; (2) that the child is prevented from attending school by sickness or any unavoidable cause, and (3) that there is no public elementary school within a reasonable walking distance from his home.

All the compulsory powers can be exercised by a school attendance committee in a town in which the voluntary school system is still maintained. The committee, however, have no power to order any of the voluntary school managers to extend the accommodation of their school. When the accommodation becomes inadequate, the managers on their own responsibility bestir themselves to enlarge their school-houses. They do so in order to obviate the establishment of a school board; for when once the Committee of the Council for Education at Whitehall is satisfied that the school accommodation of a town or a parish is inadequate, it can issue an order for the election of a school board. Before this order is

issued, every opportunity is given to the friends of voluntary education to make good the existing deficiency in the school accommodation. The preliminaries to the order for the establishment of a school board extend over nearly a year. The final notice runs over six months; and at the expiration of that time, to quote the words of the Act, "if the Department are satisfied that all the accommodation required by the final notice to be supplied has not been so supplied, nor is in course of being supplied with due despatch, the Department shall cause a school board to be formed for the district, as provided by the Act, and shall send a requisition to the school board so formed, requiring them to take proceedings forthwith for supplying the accommodation mentioned in the requisition, and the school board shall supply the same accordingly."

In many towns where the friends of voluntary education are numerous and are liberal with their subscriptions, school boards have been altogether avoided. In 1891, after the Forster Education Act had been in force twenty years, there were no fewer than 723 municipal and rural districts in which the education laws were being carried out by school attendance committees of town councils and boards of guardians, as compared with 1983 boroughs and parishes in which the Committee of the Council for Education had, since 1871, ordered the election of school boards.

Economy in the saving of rates is usually put forward as a reason for doing without a school board,

and placing the administration of the Elementary Education Acts in the hands of the municipal or Poor Law authorities. Another reason is the tenacity with which the religious bodies, especially the Church of England, the Roman Catholics, and the Wesleyan Methodists, hold on to the day schools they have established. So long as the voluntary system is maintained in a town, and the town council is charged with carrying out the school laws, so long can the various religious bodies draw two-thirds of the cost of maintaining their schools from the Imperial Exchequer and still retain almost full control over them. As soon, however, as these schools are turned over to a school board, and the remaining one-third of their cost is raised by a rate and not by private subscriptions, the religious denominations lose their control of the schools, and those members who desire to retain their influence in elementary education must obtain seats on the school board.

It does not necessarily follow that when a school board is established, all the elementary schools in the town are placed at once under its management. In many towns the voluntary schools and the board schools exist side by side; but the voluntary schools are almost necessarily handicapped by reason of the larger funds at the disposal of the school board. If a school is continued as a voluntary school after the establishment of a board, it continues to receive the Government grants under the Acts of 1870 and 1891; but the subscription lists of a voluntary school usually begin to suffer when every householder in

the town is called upon by law to pay his quota to the schools conducted by the school board. The Roman Catholics continue their schools under these conditions, and so do the Church of England and the Wesleyan Methodists. Before the Act of 1870 the Congregationalists and the Unitarians in many places maintained what were known as British Schools. This name was given because they were open to all creeds, and no denominational teaching was given to the children. Since the Education Acts have been in force, these denominations have generally turned their schools over to the boards.

In the Church of England and the Catholic schools denominational religious teaching is given. In the Church of England schools the children are examined in religious knowledge by inspectors appointed by the bishop of the diocese, acting independently of the Committee of the Council for Education; but it is a condition of such a school receiving any share of the annual Parliamentary grant, that no child shall be compelled to attend the sectarian instruction.

When a school board is first established, the number of its members is determined by the Education Department. Afterwards the number is determined from time to time by a resolution of the Board, approved by the Department. The members are elected for three years. All householders who have paid rates are entitled to vote. Women vote and women are eligible for membership. The voting is by ballot. Every elector is entitled to a number of votes equal to the number of members of the board to be

elected, and may give all his votes to one candidate, or may distribute them among the candidates as he thinks fit.

School board politics differ greatly from municipal politics. Liberalism or Conservatism, as such, does not crop out at school board elections as it does at elections of town councillors. Sometimes candidates are elected on account of their avowed sympathy with the Education Acts, and their desire to interpret them as freely and as widely as possible. Others are elected as reactionaries, and are so called on account of their disposition to put as narrow an interpretation as possible on the Acts. As a general thing, however, candidates are nominated as the representatives of this or that religious denomination, or, on the other hand, as unsectarian candidates. Sectarianism and non-sectarianism form the common dividing line in school board politics. Sectarian members usually endeavor to shape the policy of the board with an eye to the interests of the voluntary schools; while the unsectarian members favor a forward policy, and are disposed to go to the full length of the board's powers, without any care for the interests of the denominational schools.

There is no payment attaching to membership of a school board; although in the case of the London Board, where the calls upon the time of all the members are peculiarly heavy, the law allows the Board to grant a salary to its chairman. The salary, however, has never been voted to a chairman, as the office has hitherto been held by men who were sufficiently

well-to-do to give up their time to the work of the Board without payment. The clerk, the treasurer, and all the officers of the school board, including the teachers, hold office during the pleasure of the board. This means, as it does in the case of town councils, that all officers hold their positions during good behavior. Politics in no way influence the appointment of an officer. Appointments are made by the boards in open meeting, of which every member has had at least four days' notice in writing; and the rule is to advertise in the newspapers some weeks beforehand that an appointment is to be made. Competitive examinations precede appointments to the clerical staff of the London School Board.

There is only one School Board for London. It has charge of some six hundred schools, and is responsible for an expenditure of nearly two million pounds sterling annually on elementary education. In 1870, when the Education Act became law, London was divided for the purposes of Parliamentary representation into eleven boroughs. These were the City of London, Chelsea, Finsbury, Greenwich, Hackney, East Lambeth, West Lambeth, Marylebone, Southwark, Tower Hamlets, and Westminster. The Act for the Redistribution of Seats, which followed the Parliamentary Reform Act of 1884, did away with these divisions so far as representation in the House of Commons is concerned, and gave London a large increase in its Parliamentary representation. For school board purposes these divisions have been continued; and there are now five members

of the Board for each of the old London boroughs, giving a total membership of fifty-five. It is altogether impossible for a single board to undertake the detailed management of all the schools in the London area. When the London School Board was established, a system of local management was introduced which has worked with admirable success. This system has also been adopted by the School Board of Liverpool.

In London the schools are all placed under the care of committees of local managers, to whom the Board delegates the control and management, subject to such conditions and restrictions as it may from time to time impose. The members of the School Board from each of the eleven divisions form local committees, and divide among themselves the various groups of schools in their districts. The managers of new schools are appointed by the Board upon the nomination of a majority of the divisional members present at the meeting at which the nomination is made. There is no pay for the work. Each new manager must fill up a form undertaking to discharge the duties of the office, including the visitation of the schools and attendance at managers' meetings. It is the duty of the divisional members of the School Board to see that, if possible, two or more women are nominated to serve on every body of managers. The members are also recommended to see that at least two persons are nominated whose children have attended the schools of the Board. A list of persons desirous of becoming managers is

kept at the head office of the School Board. Vacancies in existing local committees are filled up by the Board upon the nomination either of a majority of the divisional members or of the managers, with the assent of a majority of the divisional members at the meeting at which the nomination is considered.

Schools are managed by a committee of managers, either singly or in groups. When a local committee has the management of only one school, its membership must not be less than eight nor more than twelve. When a committee manages a group of schools, it must number not less than eight nor more than twenty members. Not more than three, nor, except under special local circumstances, less than two schools may be placed under one committee of managers. Three managers form a quorum for a meeting. The members of the School Board are members of all committees and sub-committees of local managers of all schools in their division. The local managers once a year elect their chairman and vice-chairman.

In addition to such duties as fixing the fees to be charged, where any are still paid, the managers have the appointment of school keepers, and are responsible for the selection of pupil teachers and probationers. They must see that the staff of teachers is sufficient; that the regulation for Bible instruction in the schools is carried out; they must keep an eye on the cookery kitchens and laundries attached to the schools; give attention to the physical education of the children; carefully note that the time-table of

the school is observed; distribute the prizes and medals which are awarded by the Board; examine from time to time the punishment book; supervise the lending libraries; and generally set themselves to help the schools under their care by every means in their power. "They must also see," to quote further from the instructions of the School Board to the local managers, "that the rules laid down for the guidance of teachers are adhered to; must smooth down the difficulties of teachers by constant encouragement and sympathy; have at heart the mental, moral, and physical welfare of the scholars; and see that they are brought up to habits of punctuality, of good manners and language, of cleanliness and neatness; and also that the teachers impress upon the children the importance of cheerful obedience to duty, of consideration and respect for others, and of honor and truthfulness in word and act."

An elementary school, within the meaning of the Education Act of 1870, is "a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school at which the ordinary payments in respect of the instruction from each scholar exceed ninepence per week." All schools examined by the inspectors of the Education Department, and receiving the Parliamentary grant, must come within this definition, whether they are managed by a voluntary committee, as is the case in places where a school attendance committee of the town council administers the Education Acts, or whether they are

under the control of school boards elected by the ratepayers. The law also provides that it shall not be required as the condition of any child being admitted into, or continuing in any elementary school, that he shall attend, or abstain from attending, any Sunday-school or place of religious worship; that when religious instruction is being given in any school, any scholar may be withdrawn by his parent from such instruction without forfeiting any other benefits of the school, and that it shall be no part of the duties of the Government inspectors of schools to inquire into any instruction in religious subjects given at such school, or to examine any scholar therein in religious knowledge, or in any religious subject or book.

These three provisions are the embodiment of what is known as the Conscience Clause, a clause which was inserted in the Act of 1870 at the instance of the Nonconformists, after a struggle which at that time threatened a serious split in the Liberal party. Religious observances may be practised, and instruction in religious subjects may be given, in voluntary schools to those children whose parents are willing that they should attend the observances or receive the instruction; but these observances and this teaching "shall be either at the beginning or at the end, or at the beginning and the end of the school session, and shall be inserted in the time-table to be approved by the Department." This arrangement is intended to facilitate the withdrawal, for the time being, of those children whose parents object to their attending

the observances or receiving the religious instruction. These regulations apply only to the voluntary schools, those supported by the religious bodies. As regards the board schools, maintained entirely by rates and grants from the Imperial Exchequer, the law on the same subject is explicit. It declares that in board schools no religious catechism or religious formulary distinctive of any particular denomination shall be taught. It is a disqualification for appointment as a Government inspector of schools that the candidate is in holy orders, that is, has been ordained by a bishop of the Church of England, or is a minister of any other denomination.

All schools receiving the Parliamentary grant are governed by the Code, which is drawn up each year by the Education Department and sanctioned by Parliament. The school age is from five to thirteen. The scholars, except those in the infant departments, are grouped in standards from one to seven, and in ordinary circumstances the child is advanced a standard every year. For twenty years after the Forster Act came into force, the Parliamentary grant depended entirely upon the results of the annual examinations. Since 1890, however, there has been a fixed grant on the average attendance, and a variable grant depending on the result of the examinations. The total from these sources is twelve shillings and sixpence, or fourteen shillings a head, according to the report of the school inspector. By teaching extra subjects in the higher standards, and by excellent discipline and organization, a school may earn

a total grant equal to seventeen shillings and sixpence a head. When this maximum grant is earned, and the school is also in receipt of ten shillings a scholar under the Free Education Act of 1891, its total receipts from the Imperial Exchequer are thus one pound, seven shillings, and sixpence a head per annum. In addition to these sums, grants of three pounds are made by the Department for each pupil teacher who passes the annual examinations to which all teachers in their apprenticeship years have to submit themselves.

In all schools, whether voluntary or under a school board, the managers are bound to provide a proper supply of books and other school apparatus, and they cannot compel a parent to provide books, either by periodical payment or by purchase, nor refuse admission to a scholar whose parents refuse to do so.

In the case of a school board, the difference between the total grant from the Imperial Exchequer and the total cost of conducting a school, plus the general expenses of administering the Education Acts, is met by a local rate. In London in 1892, the school board rate was eleven pence in the pound. In the provincial towns where there are school boards, the rate varies from fivepence to tenpence in the pound. In places where the school attendance committee of the town council administers the Education Acts, and all the schools are voluntary, the cost is much less. Usually no special rate is levied to meet it. It is paid for out of the borough rate, —

that raised for municipal government purposes, and seldom amounts to more than an extra penny in the pound.

By far the majority of the teachers employed under the Education Acts receive their early education and training in elementary schools. After passing the seventh standard, the boys or girls who are to be trained for school-teachers are apprenticed to the school managers, or to the school board, as the case may be, for a term of four years. During this time they act as pupil teachers. They receive lessons from a certificated master for an hour or an hour and a half in the morning before the ordinary session of the school commences, and help with the teaching of the classes during the remainder of the day. Each year they are examined by the inspectors of the Education Department, and at the end of their pupil teacher years they sit at examinations for what are known as Queen's Scholarships. These are granted by the Education Department out of the Parliamentary fund, and serve to pay the way of a pupil teacher through the final stages of his training. Those who are successful in securing these scholarships spend the next two years in one of the training colleges.

In the early days of the elementary education system only two societies, the British and Foreign School Society and the National School Society, conducted these training institutions for teachers. As the elementary day school system developed, other societies took up the work; and at the present time,

in addition to the training colleges maintained in various parts of the country by the two parent societies, colleges are maintained by the Home and Colonial School Society, by the Roman Catholics, and also by the Wesleyan Methodists. Colleges exist for both men and women teachers. There are fifty-six of them altogether; and the courses at all the colleges are practically the same, as are also the examinations which take place at the end of the student's two years' term. Provisional certificates are issued to those who pass these examinations; and at the end of two years' teaching in one school, these certificates are exchanged for a parchment, which afterwards serves as a teacher's permanent credential.

The training colleges do not afford accommodation for all the pupil teachers who complete their apprenticeship terms each year. The examinations for the Queen's Scholarships are competitive, and the scholarships granted are awarded in accordance with the students' positions on the examination list. Candidates who pass the examinations, but who do not succeed in obtaining a Queen's Scholarship, usually go back to work in the schools as ex-pupil teachers, continue their own education, and at the end of two or three years sit for their certificates at examinations similar to those at which the college-trained students obtain their certificates. They are at some disadvantage in these examinations as compared with the pupil teachers who have taken the college course; and when in possession of their certificates, their standing with the Education Department is hardly

so good as that of the college-trained teachers. Teachers who have received a college training cannot leave the profession of elementary school-teaching within five years of the end of their college career without indemnifying the college at which they were trained for the outlay on their college courses. No teacher can become the master of an elementary school unless he has obtained a certificate in one or other of the ways described; nor can he be permanently employed as an assistant master until he is in possession of a certificate.

The salaries of head masters of elementary schools range from £460 a year, the maximum paid by the London School Board, to £90 or £100 a year paid by school boards in the rural districts. The salaries for head mistresses range from £300 in London to £70 or £80 a year paid by the smaller boards in the provinces.

The figures as to salaries, which have been quoted, apply only to head masters and mistresses. The salaries of certificated assistant masters are much smaller. In the board schools all over England they average £100 a year. In the voluntary schools they are still lower. The average in those of the Church of England is £67 a year; in the Roman Catholic schools, £73; and in the Wesleyan, £76 a year. As regards assistant mistresses, their salaries under boards average £77; in Roman Catholic and Wesleyan schools, £48; and in those of the Church of England, £47. Most of the Roman Catholic and Wesleyan schools are in the large towns; while the

majority of the Church schools are in the thinly populated rural districts, where the payment for all classes of work is lower than in the large towns. School boards in these country districts pay only slightly higher rates than Church of England school managers. The higher average of salaries paid by school boards is due to the fact that the majority of teachers under school boards are engaged in the large cities.

In all schools receiving the Parliamentary grant, the work of the men and women teachers is the same. Nothing but custom can be advanced as the reason for the smaller salaries which are paid to women teachers.

A number of the larger school boards during the winter months maintain evening schools, in respect of which the Education Department also makes grants based on attendance and the results of examinations. In these schools it is not necessary that the teachers should have certificates; but in most towns the work of the evening schools is undertaken by teachers engaged in the elementary schools.

Payment for this work is by the hour, and ranges from two shillings and threepence an hour, paid by the London School Board to its teachers, to one and threepence an hour, paid by the Manchester School Board. Except in London and Leicester, women also receive less pay than men for evening school teaching. Their payment ranges from one shilling and fivepence an hour in Leeds, to one shilling an hour in Manchester. The Manchester

School Board pays a bonus of three pounds a session. To obtain it a teacher must conduct a class with an average attendance of thirty pupils three nights a week for six months.

The object of these evening schools is to afford opportunities to scholars, formerly in the elementary day schools, of continuing their general studies after they have left school and commenced work. The curricula are so arranged as to make it easy for a boy who left school for work when in the fifth or sixth standard, to resume at the point where his education in the day school came to an end. In 1893, at the instance of the trade unionists whose societies are federated with the Trades Congress, and also at that of the members of the numerous co-operative societies which flourish in the North of England and the Midlands, the teaching of the duties of the citizen was included in the courses of the evening schools, and the Education Department drew up an additional Code, suggesting the subjects to be taught under this head.

These subjects are grouped in five divisions: (1) Local Government; (2) Central Government; (3) the Duties of Citizens in relation to Local and Central Government; (4) the Empire; and (5) Industrial and Social Life and Duties. The key-note of the new Code is struck in its initial and concluding paragraphs. The initial paragraph emphasizes the need that "those who are growing up into citizenship should realize their debt to the men and women who have served the nation generously and wisely in the

past, and their own duty to their country in the present." "Self-interest and class-interest," it is added, "should be subordinate to general and national interest." The concluding paragraph dwells on "the duty of the community to sympathize with every effort of the workers to improve their condition and develop their intelligence."

Thus far only the public elementary day school system has been described. It is not proposed to deal with the universities, the great public schools, such as Eton and Harrow, or the middle class schools, over which Parliament has no control, and to which no grants from the National Exchequer are made. There are still, however, two other departments of state-aided education to which reference will be made. The first of these is the Science and Art Department, South Kensington, and the other the system of Technical Education.

The Science and Art Department was established about 1840 as the National School of Design. It was then under the control of the Board of Trade, the State Department which now has the oversight of railways, canals, and harbors, and the administration of the navigation laws, the laws as to trade-marks, and the collection of statistics and information in regard to trade, emigration, and labor. In 1853, when the Council for Education was reorganized, the Science and Art Department was transferred to it from the Board of Trade; and since then it has been under the management of the President and the Vice-President of the Council for Education,

and a separate branch of the Education Department. In the House of Commons, the Vice-President is responsible for the Science and Art Department, as he is for the administration of the Education Acts.

For half a century past, Parliament has made a grant to the Science and Art Department. This grant has increased as the work of the Department has assumed larger proportions, until in 1893 it had reached £535,000. These annual grants are expended (1) in the maintenance of the National Art Training School and the Normal School of Science, South Kensington; the Royal School of Mines in Jermyn Street, London; the South Kensington, Indian, Bethnal Green, and Geological Museums; the Science and Art Libraries; the museums of Edinburgh and Dublin, and the Geological Survey of the United Kingdom; and (2) in grants to teachers of art and science, whose students pass the examinations held under the auspices of the Department. Grants are also made to elementary schools whose scholars pass the Department's examinations in drawing.

Classes in connection with South Kensington are held all over the country; and every year thousands of young men and women who have gone through the elementary schools, and are at work or in business, continue their education in the evening classes organized in connection with the Science and Art Department. The department carries on this branch of its work with the help of local voluntary committees. When it is desired to establish a local centre for science and art teaching, all that is necessary is

that several of the townspeople should form themselves into a committee, elect a chairman and a secretary, and put themselves in communication with the Department. A certificated teacher is then appointed and classes organized. At the end of the session an examination is held in the presence of two or more members of the committee. The examination papers are sent from South Kensington. They are collected at the expiration of the time allowed for each subject, and returned in a sealed packet to headquarters, where they are checked and examined by the inspectors of the Department. Payment is by results; and the allowance in the case of students who pass the examination is so liberal that a teacher with a class of ordinary size and with students who are worth teaching can afford to undertake the science and art evening classes without charging the students any fees.

The Department of Science and Art at South Kensington has also the oversight of technical education, so far as it is given out of funds provided by Parliament or raised by local rates. The system of technical education dates only from 1889. Under the provisions of an Act passed in that year, supplemented by another Act passed in 1891, town councils and county councils may "from time to time, out of the local rates, supply or aid the supply of technical or manual instruction." Technical instruction is defined by the Act of 1889 as "instruction in the principles of science and art, applicable to industries, and in the application of special branches of science

and art to specific industries or employments." It is stipulated that it is "not to include teaching the practice of any trade or industry or employments."

Manual instruction is defined to be "instruction in the use of tools, processes of agriculture, and modelling in clay, wood, or other material." Grants are made by the local authority administering the Technical Instruction Acts in proportion to the nature and amount of the efficient instruction supplied by the schools or institutions within its district; but no grant can be made to any institution on the governing body of which the council making the grant is not represented, nor can any grant be made in aid of a school conducted for private profit. Certain taxes which are collected by the Imperial Exchequer through the Inland Revenue Department are allocated to the town and county councils for carrying out the Technical Education Acts; and, in addition, these local governing bodies are empowered to raise a rate not exceeding one penny in the pound on the Poor Law valuation to supplement the fund received from the treasury.

In 1892 the total sum received from the Imperial Exchequer for technical education was £734,000, £535,000 was disbursed by the Science and Art Department, and the £5,000,000 expended on elementary education by the Committee of the Council for Education, made up a total of £6,269,000 paid out of the Imperial Exchequer for national education.

The whole of this sum was raised as taxes. In addition, about one and three-quarters millions sterling

were raised by school boards and other local authorities by means of rates for the same purpose, to say nothing of the total sum which was subscribed by the friends of the voluntary schools, — those schools which receive from one pound, two shillings and sixpence, to one pound, seven shillings and sixpence per scholar from the annual Parliamentary grants, but in respect of which the difference between the total cost of the education given and the amount received from the Government has to be raised by the friends of the school.

CHAPTER IV.

THE ADMINISTRATION OF JUSTICE.

Municipal Control of Police.— London Police Force.— Local Police Force and the Home Office. — Borough Magistrates. — Licensing Laws. — Stipendiary Magistrates. — Solicitors and Barristers. — Etiquette of the Bar. — Quarter Sessions and Assizes. — Preliminary Stages of a Criminal Trial. — Coroner's Court. — Recorders and Chairmen of Quarter Sessions. — Grand and Common Jurymen. — Quarter Sessions and Appeal Cases. — County and Borough Magistrates. — The Lord Lieutenant and the Appointment of Magistrates. — Property Qualifications for Magistrates. — Administration of Justice in Rural Districts.— Assizes. — Judges and their Appointment. — Judges on Circuit. — High Sheriffs, Grand, Special, and Common Jurymen at Assizes. — Criminal Procedure at Assizes. — Final Stages of a Criminal Trial. — Capital Sentences. — No Appeal in Criminal Cases. — Home Secretary and Condemned Prisoners. — Celerity of the Criminal Law. — Treatment of Condemned Prisoners. — Executions. — The Cost of Criminal Trials. — Civil Justice. — Local Courts and the Courts in London. — County Court Judges. — County Court Cases. — The Bankruptcy Laws. — Meetings of Creditors. — Certificates of Discharge to Bankrupts. — The High Court of Justice; the Chancery, Queen's Bench, and Probate, Divorce, and Admiralty Divisions. — Appeal Courts and the Judicial Functions of the House of Lords. — Lord Chancellor. — A Civil Trial. — Queen's Councillors. — Board of Trade Courts. — Inquiries into Losses of Vessels at Sea and Railway Accidents. — The Railway Commissioners.

IN the three preceding chapters, explanations have been given of the working of the system of municipal government, of the administration of the Poor Laws, and of the state-aided system of education. An explanation has also been given of the manner of electing the various local authorities charged with the administration of these systems —

of the town council, the board of guardians for the relief of the poor, and the school board. In explaining the system of local self-government, a municipal borough was taken as an example, and the difference was shown between the administration of local government in a borough and in a county. The same plan will be followed in explaining the organization of the police force, the appointment and duties of the magistrates who sit in the local courts, and the administration of criminal justice in the courts beyond — in the Courts of Quarter Sessions and of Assize.

In all the large boroughs, the town council has almost complete control of the police. London is the only place in which the representatives of the ratepayers, elected to discharge the duties of municipal government, are denied the management of the force. One-half the cost of maintaining a borough force is paid out of the Imperial Exchequer, the other half is raised by means of the borough rates. The force is inspected each year by a Government inspector, and it is within the power of the Home Office to call upon a borough to keep the police force up to what is regarded as an adequate strength. The town council usually deputes the care of the police force to a watch committee, in the same way that the markets and public baths and the other departments of municipal work are assigned to committees. The chief constable is appointed by the town council; the rank and file by the watch committee on the recommendation of the chief constable. The building in which the lock-ups and the justice room, the

office of the chief constable, and the parade room for the police are contained, is built and maintained at the expense of the ratepayers living within the borough. In the counties, the police are under the control of a joint committee consisting of representatives of the county council, and of representatives of the county magistrates. The county council is an elective body; the county magistrates are appointed by the Lord Chancellor, on the nomination of the lord-lieutenants of the county.

Under the Municipal Corporations Act of 1835, every incorporated borough may have its own commission of the peace, or, in other words, its own bench of magistrates. The mayor is the chairman of the bench, and continues to be a magistrate for one year after he vacates the office of mayor. He is a magistrate by virtue of his election as mayor. The other members of the borough bench are appointed by the Lord Chancellor, and hold office "during good behavior," which means as long as they are good citizens, are solvent, and have any connection with the borough. A borough magistrate's duties are strictly limited to the area over which the borough extends. He has no place on the bench of the county in which the borough is situated, unless he is also a county magistrate, which, as regards mode of appointment and duties, is a somewhat different office from that of the borough magistrate. There is no pay to the office of borough magistrate; but the position is much coveted by men who have succeeded in business, who are locally

prominent, and who desire the slight social consequence which attaches to a justice of the peace. The Lord Chancellor is the head of the whole judicial system of England. He goes out of office in the same way as the other members of the Cabinet on a change of administration, and in his appointments to both the borough and the county benches, partisan considerations have some weight.

Borough justices of the peace are appointed sometimes on the suggestion of the town council; at other times on the suggestion of the member who represents the borough in the House of Commons, and it frequently happens that a man is appointed in return for local political services. The majority of the borough magistrates appointed in a given year are always men of the same political opinions as the Government in power.

A member of Parliament has no patronage in his own disposal, and little or no influence in the disposition of the exceedingly few non-competitive paid appointments which are in the gift of the Government. For a needy constituent, he can do absolutely nothing in the way of helping him to office; and about the only service he can render to a well-to-do supporter — to a man who has helped him in his election by contributions to his campaign fund, and by active personal service, is to get his name submitted to the Lord Chancellor for appointment as a borough magistrate. In the case of county magistrates, nominations are made exclusively by the lord-lieutenant.

In the boroughs, no property qualification is required. The ordinary qualification possessed by every householder who pays poor rate is all that is needful. It is not necessary that a borough or a county magistrate should be trained in the law in the same way as a barrister or a solicitor. The requirements of the office are common-sense, and some little knowledge of the principles of law, and of the customs and habits of the people among whom the magistrate resides.

The clerk to the bench is always a lawyer, and he is in attendance at every sitting of the magistrates. After a case has been heard, the magistrates consult with the clerk, who informs them of the law on the point, and then the magistrates give their judgment. In a large number of cases the magistrates are empowered to administer summary justice, and to impose fines and short terms of imprisonment. In the more serious cases, they hear the evidence, and determine whether or not a *prima facie* case has been made out, on which the person charged may be committed to take his trial before a jury at Quarter Sessions or Assizes. The court to which the accused is sent is determined by the character and seriousness of the charge made against him.

An important duty of both borough and county magistrates is the maintenance of the peace during times of excitement. When disorder occurs, and the military are summoned to the aid of the police, the officers commanding the troops take all their orders from the magistrates. The duty of reading the Riot

Act is discharged by a magistrate. Until the Riot Act has been read and a reasonable time allowed for the rioters to disperse, the military cannot act. The officers of the army are governed by what are known as the Queen's Regulations. They provide for almost any contingency; and in connection with the employment of troops in maintaining the peace the Queen's Regulations are explicit. They instruct the officers in command to place themselves under the orders of the magistrates, and to fire on the rioters only when expressly ordered to do so by the magistrates. Damage to property caused by riots is compensated by means of a special rate levied on the district in which the disturbance has occurred.

In municipal boroughs the magistrates act as the authority for granting licenses to beer-house keepers, publicans, and wholesale and retail dealers in beer, wines, and spirits. For this purpose they hold a court in August each year, which is known as the Brewster Sessions. There are four different classes of licensed premises for the retailing of liquors, under the Acts passed by Parliament in 1872 and 1874, when the licensing system was overhauled and amended. These are: — (1) fully licensed houses at which beer, wines, and spirits are sold, and may be drunk on the premises; (2) houses licensed only for the sale and consumption of beer, and known as beer and ale houses; (3) restaurants, oyster-bars, and refreshment-rooms which are licensed for the sale and consumption of beer, wines, and spirits; and (4) grocery stores, to the keepers of which licenses are granted for the

sale of beer, wines, and spirits, not to be drunk on the premises. The holders of these licenses must obtain a renewal of them each year from the magistrates sitting in Brewster Sessions, and all new applications for licenses are dealt with at the same court. Before the court hears any of these applications, the chief constable of the borough submits a report as to the proceedings in the police court under the Licensing Acts during the preceding year.

In the large towns, public houses are compelled by law to close at eleven o'clock at night, at ten o'clock on Sunday night, and also until after the hours of church service in the morning and afternoon of Sunday. Any failure to observe these hours of opening and closing, or any infringement of the laws against serving people who are drunk, or harboring undesirable characters, men or women, may result in a publican or a beer-house keeper's appearance before the magistrates at the police courts. If the charge is substantiated, a fine is inflicted, and the magistrates may also indorse the publican's license. All these cases are reported to the magistrates at Brewster Sessions before they commence the business of renewing existing licenses and granting new ones.

When a license has been indorsed during the year, the holder is usually summoned at the Brewster Sessions to receive an admonition and a caution from the bench. If the indorsements have been numerous, he may forfeit his license. Until 1890 it was a popular opinion with brewers and license-holders that when once a license had been granted to a

house, the renewal of it could not be refused by the magistrates, except on account of flagrant misconduct on the part of the holder. A case which was heard in the Appeal Courts about that time, however, served to break down this feeling of security on the part of the publicans; and since then the magistrates have refused to renew old standing licenses solely on the ground that a licensed house was no longer needed in the neighborhood.

New licenses are granted with extreme caution. There are many towns in England in which a new license has not been issued by the magistrates for fifteen or twenty years. When an application for a new license is before the court, the applicant calls witnesses to speak as to the need of a public house in the neighborhood of the premises for which a license is sought, and also witnesses as to his own personal character. On the other hand, neighbors who are opposed to the license attend, and give evidence denying the need of a licensed house, and testifying as to the damage which the opening of a public house is likely to cause to their property. In these cases both the applicant and the opponents of the license are often represented by lawyers. The vote of a majority of the bench decides the matter.

The ratepayers have no control over the magistrates, either as regards their ordinary police court duties, or in connection with the administration of the licensing laws. There is no way of calling the magistrates to popular account. The watch committee, which has charge of the police, and is respon-

sible for the way in which the licensing laws are enforced, is in a different position. Each of its members is a member of the town council, and can be called to account by the electors in his ward when he seeks re-election.

In a number of the large towns, such as Manchester, Liverpool, Leeds, and Birmingham, stipendiary magistrates are appointed who hold courts daily; and, with the exception of granting licenses under the licensing laws, they discharge the same duties as the unpaid magistrates. These stipendiary magistrates are appointed by the Crown through the Home Office. Their salaries are paid out of the borough funds, collected as rates, and their appointment is always at the instance of the town council. The number of these magistrates all over England, exclusive of London, has never reached more than twenty; for in most of the incorporated boroughs no difficulty is experienced in finding men who are willing to give their services as unpaid magistrates.

The police courts in London are presided over by stipendiary magistrates. All these magistrates are barristers. In England, those who follow the profession of the law are divided into two classes. In the first are those who have passed the examinations of the Inns of Court in London, and have been called to the Bar by one of these Inns, — the Temple, the Inner Temple, Lincoln's Inn, or Gray's Inn. These lawyers are called barristers. None but barristers are allowed to plead in the higher courts; that is, in the courts, criminal and civil, which rank higher

than those in which the unpaid magistrates sit, or than the civil courts in which county court judges, with or without juries, try cases involving sums of not exceeding fifty pounds.

The second class of lawyers are known as solicitors. They are admitted to practice by the Incorporated Law Society, — a body to which Parliament has delegated certain powers over this branch of the legal profession, — after serving articles or indentures with solicitors in practice, and after passing two examinations. The etiquette of the Bar divides the work of the law between these two branches of the profession in such a way that a litigant in the higher courts is compelled to employ both a solicitor and a barrister. Solicitors appear as advocates only in the lower courts. All the courts are open to barristers as advocates; but a barrister can appear in none except on instructions from a solicitor. A barrister takes no instructions from a client direct.

Cases which are sent for trial from the borough police courts, go either to Quarter Sessions or to the Assizes. The more serious cases, such as charges of manslaughter, murder, perjury, forgery, and criminal libel, go to the Assizes. The less serious charges go to Quarter Sessions. To whichever of the two courts a case is sent, an important preliminary duty in regard to it is discharged by the borough magistrates.

Take, for example, the case of a man who is charged with murder. After the coroner and his jury have determined the cause of death, and returned a verdict against the accused, the accused is

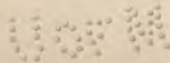
arrested on the warrant of the coroner, and appears before the magistrates at the police court. All the witnesses called at the inquest appear before the magistrates and repeat their evidence on oath. The evidence is taken down in long hand by the clerk of the court, as are also the answers given in any cross-examination to which the witnesses may be subjected by the solicitor or by the barrister on behalf of the accused. When all the evidence for the prosecution has been tendered, the chairman of the magistrates cautions the accused in regard to any admission or denial of his guilt which he may make at this stage in the proceedings.

The caution is delivered in the same words in every police court in England. "Having heard the evidence," it runs, "do you [the accused] wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so; but whatever you say will be taken down in writing, and may be given in evidence against you upon your trial."

If the accused makes a statement denying his guilt, he can call witnesses in support of it; and their evidence is put upon the depositions which are sent to the Grand Jury at the Assizes. If he makes no statement, it goes upon the record that "the accused reserved his defence." The procedure in the police court is the same in respect of every case which is sent to Quarter Sessions or Assizes. In many cases which come before the magistrates in which they are empowered to administer summary justice, the

accused is given the option of having his case disposed of in the police court, or sent for trial before a jury at Quarter Sessions.

No sketch of the immediately local courts would be complete without an explanation of the coroner's court. Excepting the clerks to some of the London vestries, the coroner is about the only local official in receipt of a salary who is directly elected by the people, and it is only in the counties that he is so elected. He is chosen by the freeholders, and holds office for life. In the Quarter Session boroughs the coroner is appointed by the town council. The office is usually held by a lawyer or a doctor, more frequently a lawyer. His duties are to inquire into cases of sudden or violent death, and concerning deaths which occur in prisons or in lunatic asylums; to hold inquiries concerning the finding of treasure trove; and to act as the sheriff's substitute in executing processes from the High Court of Justice, when the sheriff is personally interested in the suit, or is related either to the plaintiff or to the defendant in the action. The coroner, except in London, has no fixed court-house, and usually holds his inquiries in public houses, or in any other public room which may be available. The police in the borough or petty sessional division in which he is holding an inquest act as his officers, and summon the jury and the witnesses. Twelve men constitute a coroner's jury. As a rule, they receive no pay for their attendance at an inquest. The coroner has powers to compel the attendance of witnesses, and also to inflict fines



on jurymen who fail to respond to the summonses served upon them by his officers. In cases of murder or manslaughter, the coroner can order the police to arrest any persons against whom his jury has returned a verdict, and the person so arrested can be committed for trial at the Assizes, without any further preliminary hearing. This, however, is nowadays seldom done; the usual procedure being for the coroner to send the accused before the local magistrates, who, in their turn, send him for trial at the Assizes.

Treasure trove is the term used in England for all valuables found beneath the surface of the land. When a find of this kind takes place, whether on private or common land, the coroner holds a court to determine the ownership. If the rightful owner is not ascertained, the whole of the find is turned over to the Treasury, as the representative of the Crown.

There are two classes of Quarter Session Courts. Every borough with over fifty thousand inhabitants may, if it so desires, have its own court of Quarter Sessions. In these towns the court is held before a recorder, who, with the aid of grand and common juries, tries prisoners committed on charges occurring in the borough within whose boundaries the court's jurisdiction is confined. The recorder is appointed by the Crown; and, as in the case of stipendiary magistrates in the large cities, his salary is paid by the town council. It is a much smaller salary than that of a stipendiary; for a stipendiary gives all his time to his court, while the recorder,

whose office is one of some dignity and largely honorary, holds court only four times a year, and is seldom engaged with its business for more than a week at a time. Like the stipendiary, the recorder must be a barrister of at least seven years' standing; but his holding of a recordership interferes to no serious extent with his ordinary practice at the Bar.

The other class of Quarter Sessions Courts is that which is held for a county or a division of a county, — for the territory lying outside the Quarter Session boroughs. This court is much older than the court of Quarter Sessions for a borough, and is differently constituted. All the members of the county magistracy are of this court, which is presided over by a permanent chairman elected by the magistrates. The chairman so elected is usually a barrister, and may receive a salary for the office. Two classes of jurymen are summoned, — those of the grand jury, and those of the common juries, the jury of which a man is summoned depending upon the nature of his rating qualification and the amount at which he is assessed to the relief of the poor.

The grand jury goes over the depositions sent from the police and petty sessional courts at which the prisoners to be tried were committed, and in each case either finds a true bill or throws out the bill. In the event of a true bill being found, the case goes to the common jury for trial. When a bill is thrown out, there is an end of the case against the accused.

Before the grand jury undertakes this duty, it is

addressed by the chairman of Quarter Sessions. This is known as the charge. In it the chairman remarks on the state of crime in the county, and explains the leading points in the more important cases on which the grand jury will have to pass judgment. The charge is delivered in open court. The grand jury deliberates in secret session, and afterwards makes a report of its proceedings to the court. The chairman presides during the trial of cases by the common juries; and after the evidence has been tendered for and against the accused, and counsel has been heard in his behalf, the chairman sums up the evidence to the jury. All that the jury does, is to find the verdict on the facts, — whether the accused is guilty or not guilty. After the guilt of the accused has been thus established, the chairman determines the sentence, and announces it to the prisoner.

In addition to hearing criminal cases committed from the borough and petty sessional courts, appeals from sentences at these local courts are heard and determined at Quarter Sessions. Appeals arising out of the Licensing Acts and their administration, and against assessments for Poor Law purposes, are also heard at these courts. These appeal cases are heard without juries. In years gone by, the magistrates in Quarter Sessions administered all departments of county government. They were deprived of most of these duties by the Local Government Act of 1888; but under that Act the county magistrates still share with the county council in the

management of the county constabulary. Until a few years ago, the magistrates also had in their hands the management of the prisons. The prisons, however, have of late been greatly reduced in number, and are now all under the control of the Home Office in London.

While dealing with the county magistrates and their duties at Quarter Sessions, it may be well to make clear the difference between the borough and the county magistrates. Both classes of magistrates discharge almost the same duties; the difference in their position is largely a social one, and is due to the mode of appointment. The Lord Chancellor appoints both the borough and the county magistrates; but in the case of the county magistrates, he appoints only on the nomination of the lord-lieutenant. The lord-lieutenant is the Queen's representative in the county. His office, which is entirely honorary, is held for life. There is no law as to the nomination; but it has long been the practice that no county magistrate is appointed by the Lord Chancellor unless he is nominated by the lord-lieutenant. In this respect there is only a difference of usage between the appointment of the borough and the county magistrate. There is, however, an important difference in law. A borough magistrate need have no property qualification as distinct from a rating qualification; while a man cannot be nominated by the lord-lieutenant for the county magistracy unless he has an income of £100 a year from landed property, or lives in a house in the county assessed for rating

and taxation purposes at £100 a year. It is also the practice of the lord-lieutenant not to nominate to the Lord Chancellor for appointment as a county magistrate any man who has been engaged in retail trade.

The object of this unwritten law, and of the law as to qualification, is to confine the county magistracy as much as possible to the landed classes. To a great extent the magistracy is confined to the landed classes; and it often happens that a man who for years has done good service as an unpaid magistrate in a large borough, is thus practically held to be unfit for a place on the roll of magistrates for the county in which the borough is situated.

As regards judicial duties, the only difference between a borough and a county magistrate is that a county magistrate can attend and take part in the proceedings at Quarter Sessions, while the duties of a borough magistrate are confined to those he discharges at the borough police court. For police purposes, counties are divided into petty sessional divisions. There is a court-house in each division, at which the magistrates meet either weekly or fortnightly, as the needs of the division demand, to discharge almost exactly the same duties as those discharged by a borough bench. These stated periodical meetings of the magistrates, whether in a borough or in a county, are known as petty sessions. At these sessions in the county, some cases are dealt with summarily, as in the borough police courts, while the more serious cases are sent to Quarter Sessions or to the Assizes.

Brewster Sessions are held in each petty sessional division, at which the procedure in regard to the renewal of existing licenses and the granting of new licenses is the same as in the municipal boroughs. The licensing laws are uniform all over the country, except as concerns the hours of closing in the evening. In the rural districts, the public houses close an hour earlier than in the towns, and two hours and a half earlier than in London.

For the purpose of Assizes, the fifty-two counties of England and Wales are grouped together so as to form eight circuits. Each of these circuits is made four times a year by two judges of the High Court of Justice in London. The judges are appointed by the Crown. They hold office during good behavior, and can be removed only on an address to the Crown presented by Parliament. Their salaries are paid out of the Imperial Exchequer. All the judges of the High Court are barristers of not less than ten years' standing. When a man is called to the Bar, he elects which circuit he will practise upon; and when the judges leave London for the Assizes at the various county towns, they are attended by the barristers who are members of the circuit on which the judges are travelling. Some of the judges on circuit hold court at as many as eight or nine county towns. Circuits of this kind include the sparsely populated agricultural counties where the amount of business, civil and criminal, awaiting the judges, is necessarily much smaller than in the thickly populated manufacturing and mining counties in the North of Eng-

land. On two of the northern circuits, the Northern and the North-Eastern, there are only three counties to each circuit ; but in the Northern Circuit one of these counties is Lancashire, with the three assize towns of Manchester, Liverpool, and Lancaster ; while on the North-Eastern Circuit there is the great county of Yorkshire, the largest of English counties, with its assize towns of York and Leeds.

At the assize towns on each circuit, the judges are received and entertained by the high sheriff of the county. The high sheriff, like the lord-lieutenant, is appointed by the Crown, but holds office only for one year. It is an honorary office; and, as the position entails some considerable expenditure, it is not greatly sought except by men of wealth, of landed property and social standing in the county. The mode of appointment is peculiar. After the autumn Assizes each year, the judges draw up a list containing the names of men in the counties in which they have held their courts, whom they consider fit and qualified to act as high sheriffs. These names are submitted at a joint council, attended by the judges and by three or four of the members of the Cabinet, held in London, in the Royal Courts of Justice, at which it is possible for any man who knows that his name is on the list for his county, to attend and give reasons why he should not serve in the office.

Each year a number of county gentlemen so attend this council with their excuses. One man urges that he is not sufficiently well-to-do to serve as high sheriff ; another, that his health is bad, or that his

wife is in ill health, and that he is compelled to accompany her on her travels; while another makes as his excuse the fact that he is to contest one of the Parliamentary divisions of the county at the approaching General Election. This is always a sufficient excuse; for, among the duties of high sheriff, are those of returning officer at all Parliamentary elections in the county. Three of the names submitted by the judges for each county are finally entered upon a list, which is then submitted to the Queen, who signifies her choice by pricking a hole with a bodkin opposite the name of the gentleman who is to serve. Usually this name is the first of the three submitted for each county.

Numerous duties are thrown upon the high sheriff, from the receiving of the judges at the assize towns, to the hanging of criminals condemned to death. Most of the duties are discharged by the under-sheriff, who is generally a solicitor, and receives payment out of the county treasury for his services. The high sheriff, however, always receives the judges, and when they are spending a Sunday in the county town, accompanies them in state to church.

A grand jury, special juries, and common juries are summoned for Assizes. The grand jury at Assize discharges much the same duties that a grand jury at Quarter Sessions discharges, and in much the same way. Usually thirty gentlemen are of the grand jury. None but men who possess the qualification of county magistrates — that is, who own land which brings them in £100 a year, or live in a house

assessed at £100 a year — are summoned of the grand jury.

Special juries are summoned for the hearing of civil cases, in which the parties concerned have asked for a special jury; and the jurors receive £1 or one guinea a day for their services. Occasionally extra special juries are summoned for civil cases of unusual importance. These juries are drawn from the special jurymen of the entire county, not from the limited area tributary to the assize town from which the special jurymen are drawn. Common juries are summoned for criminal cases and for the ordinary civil cases which come on for trial at Assizes. They receive no pay. The difference between a special and a common juror is a matter determined by the amount at which a man is assessed for rating purposes. If he is described as a merchant or a banker, and assessed at over £50 a year, he is liable for service on special juries. If a man is assessed at £20 a year and upwards, he is liable for service on a common jury. Peers, judges, clergymen of the Church of England, pastors of non-conforming churches, doctors, barristers, lawyers, officers of the army and navy, parish clerks, and all persons above sixty years of age, can claim exemption from service on juries. In some courts of recent years the exemption has been extended to journalists. As yet, however, there is no uniform rule as to the excusing of them from jury service.

The procedure at a criminal trial at Quarter Sessions and at Assize is practically identical. The

grand jury in each case determines whether or not there is sufficient evidence to send the case to the common or petty jury. If there is, a true bill is returned; if not, the bill is thrown out, and the accused is liberated. As soon as the grand jury has completed this preliminary work, all the persons who are accused are brought into court; the indictment against each is read over to him, and the prisoner is called upon to plead. If he pleads guilty, he is sentenced at once. If he makes a plea of not guilty, he is put back to await his trial.

To illustrate a trial at Assize, it may be well to take up again the case of a man who is charged with murder, in regard to whom the procedure in the police court has been already described. The depositions which were taken at that stage have been forwarded by the magistrates' clerk to the clerk of assize, who has framed the indictment against the accused some days before his trial. Should he require them, the accused can also have copies of the depositions made by the clerk at the police court. If the grand jury, after an explanation of the case by the judge in his charge to it, and after its deliberations in its room, has found a true bill, the accused is called upon to plead. If he pleads "not guilty," the trial proceeds.

The prosecution is undertaken by the county, and in the court is conducted by a barrister. If the accused or his friends can raise money to engage a solicitor, and through him instruct a barrister, he will be defended by counsel. If the accused is too poor to do this, the judge will call upon one of the barristers in

the court to act in his behalf. This is a compliment from the bench to the barrister, and is generally so regarded, especially by the younger members of the Bar. A barrister so called upon by the judge undertakes the case without fee or reward, and invariably acts with as much loyalty towards his client as though a heavy fee had been paid him beforehand.

There are twelve members of the jury, taken from the panel which has been summoned by the sheriff. They are sworn one by one; and before the oath is administered the accused may either challenge the whole number empanelled, or challenge individual jurymen. In a case of murder, he can challenge twenty jurymen without assigning any reason for so doing. The Crown can also challenge in the same way. After challenges to this number have been made without assigning reasons, reasons must be assigned in the case of other members of the panel who are challenged. When the jury as a whole is challenged, it is on the ground that the sheriff is supposed to have made an unfair panel; when an individual juryman is challenged, it is on the ground that he is supposed to be actuated by ill feeling or favor towards the prisoner who is about to be tried. Either the defence or the prosecution can challenge in this way. Challenging, however, is very seldom resorted to, and it rarely happens that any delay is occasioned by difficulties in empanelling the jury.

As soon as the jury has taken its place in the box, the form of giving the prisoner in charge to the jury is gone through. The officer of the court calls the

prisoner to the front of the dock, and then turning to the jury, reads the charge upon which the prisoner is arraigned. "Upon this arraignment," reads the formula in use in the courts, "he has pleaded that he is not guilty, and so for trial has put himself upon his country, which country you are. Your charge, therefore, is to inquire whether he be guilty or not guilty, and to hearken to the evidence."

The trial then begins. It is opened by a statement of the case by the prosecuting barrister, who calls witnesses in support of the charge. Before each witness leaves the witness-box, it is left to the barrister who is conducting the defence to determine whether he will cross-examine him or not. When all the evidence for the prosecution has been given, if witnesses for the defence are to be called, they are examined at this stage; and after their evidence the prisoner's counsel addresses the jury on his behalf. The judge next sums up the case to the jury, going with much detail and minuteness over all the evidence; and at the end of the judge's summing up, the jury is dismissed to its room to decide upon its verdict. All the jurymen have to do is to decide upon the facts from the evidence which has been submitted to them. The law is laid down by the judge. In a case of murder, if the accused is found guilty, he is sentenced as soon as the jury has returned into court with its verdict.

The judge wears a wig and an ermine-trimmed robe during the hearing of the case. When a prisoner has been found guilty of murder, and sentence of

death is about to be pronounced, the judge removes his wig, and replaces it by a black cap during the few minutes in which he is occupied in delivering sentence. A sentence of death is delivered in the fewest possible words. The judge usually remarks on the fairness of the trial which the prisoner has had, and then in set words informs the prisoner that the sentence of the court is that he be "taken hence [from the court of trial] to the place from whence he came, [that is, from the jail in which he was detained while awaiting trial], and there be hanged by the neck until he be dead, and his body buried within the precincts of the jail."

At least two clear Sundays elapse between the sentence and the date of its execution; but the condemned prisoner knows within three or four days after his trial the date on which he will be executed. There is no court of appeal in criminal cases; and after a death sentence has been pronounced, only the Home Secretary stands between the prisoner and the carrying out of the law. All efforts to secure a reprieve must be addressed to the Home Office. The Home Secretary does not re-try the case in a formal way; but when he does take action to prevent an execution and commute a death sentence to one of imprisonment, he invariably does so after a consultation with the judge who tried the case at the Assizes. Technically speaking, the prerogative of mercy is exercised by the Crown; but the final decision in all capital cases rests with the Home Office.

There is little delay in administering criminal justice in England. Every stage of a capital trial is taken methodically and in order. There is no hurry at any stage; neither is there any undue delay between the stages, — between the coroner's court, the police court, and the final trial at the Assize courts, or at the Central Criminal Court in London, which for the whole of the metropolis answers to the Assize courts held in the county towns in the provinces. More than three months seldom elapse between the apprehension of a murderer and his execution, if found guilty of the charge. In London, a less period usually elapses, as there are sessions of the Central Criminal Court every six weeks.

After a murderer has been condemned, he is consigned to a part of the prison set apart for prisoners under sentence of death; and only a limited number of his relatives and friends are permitted to see him. Orders have to be obtained for all these interviews, the time of which is limited; and no interviews are allowed for several days immediately before the execution. All executions are in private; and it rests with the high sheriff or the under-sheriff whether the newspaper reporters shall be admitted. If the sheriff decides that the execution shall be private, the representatives of the press have no appeal from his decision. Whether the execution is entirely private, or is attended by reporters, a black flag is always hoisted above the jail to inform the outside world that the execution has taken place.

An hour after the execution the coroner attends

the jail. A jury is summoned, and an inquest is held. The governor of the jail, and the prison surgeon, are usually the only witnesses called; and the jury find a formal verdict in accordance with their evidence. The next step is a publication of a notice of the execution at the entrance of the prison. This notice takes the form of two certificates. One is made out by the prison surgeon, who certifies that he has examined the body of the person executed, and ascertained that he was dead; the other is signed by the under-sheriff, the magistrate who attended the execution, the governor of the jail, and the chaplain, and is to the effect that the sentence of death was executed in their presence. The dead bodies of prisoners who are executed are always buried within the walls of the jail.

Until 1893 it was the custom to bury them without any religious ceremony. This custom, however, was departed from for the first time in August, 1893, at Stafford jail, when the prison chaplain, with the permission of the bishop of the diocese, read a service over the body of an executed prisoner.

There is no official executioner, no man in receipt of a regular salary from the Home Office for carrying out the last sentence of the law. Men usually unconnected with the prison service volunteer for the office, and are paid a fee for each execution by the under-sheriff of the county in which the accused was tried and condemned.

A case of murder has been taken with a view to showing the working of the English criminal law,

because the stages are more numerous than in a case of a less serious character tried at the Assizes, and followed by a sentence of imprisonment or penal servitude. All sentences of imprisonment are served in prisons or convict establishments which are under the control of the Home Office; and when once a prisoner has been sentenced, the Home Secretary alone has power to interfere with the sentence, and then only in the way of remitting some portion of it.

The cost of trials at Quarter Sessions and at Assizes is borne by the county. Since 1879 there has been a Director of Public Prosecutions, or rather the Solicitor to the Treasury in London acts as director of public prosecutions. He does not, however, take up ordinary cases, but only those of unusual difficulty, and those in which there is a reason to fear a failure of justice. For the most part, the Solicitor to the Treasury confines his duties as public prosecutor to taking up cases in which criminal charges are made against persons who are passing through the Bankruptcy Court, and those in which persons are charged with corrupt or illegal practices at local or Parliamentary elections.

The courts in which civil suits are heard may be divided into two classes,—the county and local courts, and the High Court of Justice. England and Wales are divided into some five hundred county court districts. A number of these districts are grouped together to form a circuit, and to each circuit a county court judge is appointed. These appointments are

in the gift of the Lord Chancellor, and carry salaries ranging from £1,500 to £1,800 per annum. Only barristers of at least seven years' standing are eligible for county court judgeships. A county court judge gives all his time to his duties, and holds a court at least once a month in each district in his circuit. Attached to each court is a registrar, and also a high bailiff. The registrar is a solicitor. He is appointed by the county court judge, with the approval of the Lord Chancellor.

The majority of the cases which come before the county court are for the recovery of debts. When there is no dispute as to the amount, and practically no defence, the case is heard and determined by the registrar. In these cases the procedure is simple and inexpensive. Each party appears before the registrar; the plaintiff proves that the debt is due; the debtor or the defendant is questioned as to his means of paying it; and then the registrar makes an order, usually directing the debt to be paid at so much a month. These instalments are paid into the treasury of the court, and handed over by the court officials to the plaintiff. If the defendant fails to pay the instalments, the plaintiff can obtain an order for the seizure and sale of the defendant's household furniture and other belongings, an order which is carried out by officers acting under the direction of the high bailiff of the court. If a debtor is possessed of no furniture which can be seized, and is able but unwilling to pay, the court issues an order for his arrest and imprisonment.

Until about 1883 persons were imprisoned for non-payment of debts. The law has been reformed since then; and the theory now is that a person is not imprisoned for debt, but for contempt, the contempt consisting in the refusal to obey an order of the court. In these cases of imprisonment some fees are paid by the creditor at whose instance the committal is made, but the cost of maintaining the prisoner is borne by the state.

In the county court itself — that is, in the court at which the county court judge presides — cases can be entered in which the amount involved does not exceed fifty pounds. These suits, when they come to a trial, are heard either with or without a jury, generally without a jury. When there is a jury, it numbers only five members, and their verdict must be unanimous. Nearly all the cases under the fifty pound limit which come into the county court arise out of disputes in trade. These courts are empowered to try actions for damages under the Employers' Liability Act, even when the sum claimed exceeds fifty pounds.

County court judges sit on the bench in wig and gown, and most of them insist upon the barristers and solicitors who attend their courts appearing in the robes and head-gear which the rules of the Bar assign to the two branches of the legal profession. Solicitors and barristers have equal rights as advocates in these courts, as they have in the police courts; but in the civil courts beyond, only barristers are allowed to appear as advocates. The pro-

cedure in the county courts is much simpler than in the higher courts, and plaintiffs and defendants frequently conduct their own cases without any help from a lawyer. In the large towns the amount of business coming before these courts is very considerable. In Birmingham, for instance, about fifty thousand cases a year are tried, of which quite ninety-five per cent are for sums under twenty pounds. The county court system and the mode of procedure is the same all over the country.

Bankruptcy is a matter which comes within the province of the county court. The administration of the bankruptcy laws, which, in their present form, date from 1883, is in the hands of the Board of Trade, the Government Department in London, which also exercises Parliamentary powers in connection with the railways, canals, and harbors, and with every department of the mercantile marine. For the working of the bankruptcy system England is portioned out into sixty-five districts; and for each of these districts there is appointed a representative of the Board of Trade, who is known as the Official Receiver.

When a manufacturer, a merchant, a tradesman, or a private individual becomes insolvent, it is open to any of his creditors to appear before the county court judge, and obtain a receiving order. This is directed to the local receiver in bankruptcy, the representative of the Board of Trade, who at once calls the creditors together, and at the same time takes possession in their behalf of all property of the debtor.

At the creditors' meeting which follows, and which is open to the press, the debtor explains his affairs, and can be examined by any of his creditors as to the cause of his embarrassment, his mode of doing business, and other matters which affect or concern his relations and dealings with his creditors.

It is then for the creditors to decide whether the debtor shall be made a bankrupt, or whether they will accept some arrangement which he may offer, or which may be offered in his behalf. Whichever course is adopted must have the sanction of the county court judge. This is not given until a report to the court has been made by the official receiver. When no arrangement is made, the debtor is adjudged a bankrupt; the fact is advertised in the official *London Gazette;* and the winding-up of his affairs and the payment of dividends to his creditors are left in the hands of the official receiver.

The debtor remains a bankrupt until his affairs are finally settled. When the settlement is complete, provided the examinations by the official receiver and the creditors have brought out no charges against his honesty and character as a tradesman or a man of business, he is granted a certificate of discharge, and thereafter no creditor can make any claim against him. Until he is in possession of this certificate of discharge the law subjects a bankrupt to a number of disabilities. If he obtains credit to the amount of twenty pounds without telling his creditor that he is an undischarged bankrupt, he is liable to a criminal charge; nor during this time can he hold

any property. All that he possesses from the date of his bankruptcy to the date of his discharge is the property of his creditors, and must be turned over to the official receiver.

In a case where bankruptcy is due to misconduct, the court will sometimes withhold its certificate of discharge for several years. When criminal misconduct is charged against a bankrupt, he can be committed for trial by the court by which his bankruptcy is adjudged, and he is tried in the ordinary way at the Assizes. If a member of the House of Commons, of a town council, or of a school board becomes a bankrupt, he must at once vacate his seat.

The High Court of Justice, to which civil cases outside the province of the county court are taken, consists of three divisions: the Chancery Division, the Queen's Bench Division, and the Probate, Divorce, and Admiralty Division. The High Court together with the Court of Appeal constitute what is known as the Supreme Court of Judicature. The High Court exercises both civil and criminal jurisdiction; its headquarters are in the Law Courts in the Strand, London; but its members are the judges who go on circuit to hold Assizes in the county towns. Generally speaking, to the Queen's Bench Division of the High Court go the civil actions in which debts over fifty pounds are claimed, and in which damages are claimed for libel, slander, breaches of promise to marry, and other cases arising out of breaches of contract and agreement. Questions of electoral and municipal law are also dealt with in the

Queen's Bench Division. To the Chancery Division are assigned actions arising out of partnerships and trusts, and out of disputes as to the rights and privileges connected with all kinds of property. The Probate, Divorce, and Admiralty Division deals with three widely different classes of actions. All disputes as to wills are heard in this division; so are all cases arising under the Divorce and Matrimonial Causes Acts, which have been passed by Parliament since 1857; and also all suits arising out of towage and salvage services at sea.

Appeals from all the courts in these three Divisions go to the Court of Appeals, the second great division in the Supreme Court of Judicature, and from the Court of Appeals to the Law Lords of the House of Lords, who constitute the final court of appeal for cases coming before the law courts. The Law Lords who are of this court of last resort are the Lord Chancellor, the Lords of Appeal in Ordinary, who are appointed by the Queen and hold office during good behavior, and the ordinary members of the House of Lords who have been judges of the superior courts in England, Ireland, or Scotland.

In connection with the High Court of Justice there are local registries in most of the large towns in which county courts and assize courts are held. The cases arising in the locality to be tried by the judges of the High Courts are entered at these registries, and many of them are heard and disposed of when the judges come into the county to hold the Assizes. Wills are proved at the local registries,

and if they are undisputed, are there passed for probate. If they are disputed, the suits arising out of them are heard in London.

With two exceptions, all the judges are appointed by the Crown on the recommendation of the Lord Chancellor. The exceptions are those of Lord Chancellor and Lord Chief Justice. The Prime Minister submits the recommendations to the Queen for these two appointments. The Lord Chancellor's is a political as well as a judicial office. He is a member of the Cabinet. He acts as Speaker in the House of Lords, and presides at the sittings of the Law Lords. The office is always held by a lawyer of the highest distinction, usually by one who has been Attorney-General in the House of Commons. Its occupancy ceases with the end of the Administration; but its holder remains a member of the House of Lords, and is entitled to a large pension.

The mode of procedure in the trial of an action at Assizes or in London is the same, and the hearing of a civil suit differs but little from the hearing of a criminal charge. The judge and jury, the counsel and the witnesses, take practically the same parts in both trials. In a civil suit of any importance two or more barristers are engaged on either side. One of these is usually a Queen's Counsel, that is a barrister of long standing and reputation at the Bar, on whom the title of Q.C. has been conferred.

No duties attach to this title; it is bestowed upon its holder as a mark of honor and distinction, and entitles him to a number of privileges in connection

with his profession. One of these is the wearing of a silk in place of a stuff gown; another is the aid of a junior barrister when the Q.C. appears in court to conduct a case.

The etiquette of the Bar lays it down that a junior barrister — that is, one who has not taken "silk" — may conduct a case without a Queen's Counsel or leader, or a junior may lead another; but as a general rule, a Queen's Counsel cannot appear without a junior when acting for a plaintiff, although he may do so for a defendant. Both counsel receive briefs from the solicitor instructing them; but the fee of the Queen's Counsel is of course much larger than that of his junior. What this fee is to be is always marked on the brief when it is handed to the barrister's clerk. Another rule of the Bar is that this fee is a free gift, or honorarium, and cannot be recovered at law like an ordinary debt.

When the case opens the junior barrister reads the pleading, that is, the short matter-of-fact statement setting out the object of the action. The Queen's Counsel then proceeds to lay the case in detail before the jury, and witnesses follow with their testimony. One witness is examined by the Queen's Counsel and the next by the junior, and so on in turn until all the witnesses have given their evidence. If the jury fail to agree, the action has to be tried over again. When a verdict is rendered for the plaintiff, the damages which are awarded are collected by the sheriff of the county in which the action arises.

In the principal seaport towns of England another court which has not yet been described is frequently in session. It is held in connection with the Board of Trade for the purpose of ascertaining the causes of wrecks and disasters at sea, and dealing with the certificates of the officers of the ships concerned. The court consists of a stipendiary magistrate, assisted by two nautical assessors. Evidence is taken as in an ordinary court, and the owners of the ships and their officers are usually represented by lawyers. It is within the power of these courts to suspend the certificate of a captain or a ship's officer who is proved to have been negligent or otherwise in default. The certificates in the first instance are issued by the Board of Trade, after examinations held by the Board's inspectors, and no ship is permitted to go to sea unless its master holds a Board of Trade certificate. The Board of Trade also grants certificates to the engineers of sea-going steamers.

In addition to these marine courts the Board of Trade, through its inspectors, holds inquiries as to railway accidents. Unlike the courts in which wrecks and shipping casualties are investigated, these railway inquiries are conducted in private, and all that results from them is a detailed technical report, which is published later on as a Parliamentary paper. If a railway accident is attended by loss of life, and the accident is due to culpable carelessness on the part of any of the railway officials, the criminal law is set in motion, not by the Board of Trade inspector, but by the local coroner. Where a loss

of life results from an accident, two independent inquiries are thus held, one by the coroner and the other by the representative of the Board of Trade.

For the hearing of cases arising between railway companies, between canal and railway companies, or between firms or individuals and a railway or a canal company, there is a special court. It holds its sessions in London, and consists of three members who are known as the Railway Commissioners. One of them is an expert in railway matters. This court has been in existence since 1873. It is chiefly engaged with cases arising between companies whose railway systems are connected.

CHAPTER V.

IMPERIAL TAXATION.

Taxes and Rates. — Direct and Indirect Taxation. — Customs Houses, and the Departments of Excise and Inland Revenue. — Taxes for Revenue only. — Excise Duties and the Liquor Trade. — Inland Revenue, and the Sources from which raised. — Income Tax and Inhabited House Duty. — Income Tax Schedules. — Typical Cases. — Taxation of the Middle Classes. — Impossibility of Escaping the Income Tax. — Collection of Inhabited House Duty. — Collection of Property Tax. — Taxes paid by Householders with Incomes of £1,000 per year. — Taxation of Smaller Incomes. — No Direct Taxation paid by Artisans and Laborers.

ALL contributions to the Imperial Revenue are known as taxes or duties, and are collected either by the Inland Revenue Department or the Departments of Excise or Customs. Rate is a term used exclusively in connection with local as distinct from imperial government; and all rates are levied and collected by town councils, boards of guardians for the relief of the poor, school boards, and other local bodies, under powers delegated to them or to the parish overseers and their agents.

Taxation divides itself into two departments, — direct and indirect. The Customs and the Excise Departments collect the indirect taxation. Direct taxation is collected by the Department of Inland Revenue. Custom-houses are established only at the seaports, while in every parish the Government is represented by collectors of Excise and Inland

Revenue. The custom-house system can be explained in a few words. England is a free-trade country, and levies duties on less than a score of articles and commodities received from abroad. The theory is, that customs duties are levied only on articles of luxury; and for years past the number of articles on the custom-house list has been gradually decreasing. Almost every year when the Chancellor of the Exchequer submits his financial statement to the House of Commons, he proposes the reduction or the abolition of some particular customs duty. In the financial year ending April, 1893, the only articles on which duties were charged were, cocoa, coffee, chiccory, tea, dried fruits, tobacco, wine, beer, spirits, strong waters, and playing-cards. On tea, the duty was fourpence on the pound; on unmanufactured tobacco, three shillings and sixpence a pound; on manufactured tobacco, from four to five shillings a pound; on wines, from one shilling to two shillings and sixpence a gallon; on spirits, ten shillings and tenpence a gallon; while on playing-cards, there was a duty of three shillings and ninepence a dozen packs. All these duties are for revenue only. In the year named, they contributed nearly twenty millions sterling to the Imperial Exchequer, or about two-ninths of the total revenue from all sources.

The excise duties consist mainly of those paid by brewers and distillers and other persons engaged in the liquor trade. In 1892–93 twenty-five and a half millions sterling were collected from excise source

All the officers engaged in the collection of

customs and excise duties are appointed during good behavior, and after competitive examinations at which their fitness for the Civil Service is supposed to be adequately tested.

Inland Revenue is raised from a hundred or more different sources, — from taxes on land and on property, from taxes on income, from taxes collected from the occupiers of houses, from stamps on checks, on receipted bills, and on numerous other commercial and legal documents, as well as from stamps on patent medicines, and for licenses issued to auctioneers, house-agents, pawn-brokers, plate-dealers, game-keepers, hawkers and pedlers, and for licenses to carry guns to kill game, and to keep dogs and liveried men servants. A number of these taxes and duties are assigned by the Government as grants-in-aid to various local bodies, such as town and county councils and Poor Law guardians ; but they are all collected by the officers of the Inland Revenue, who are in the service of the Government.

The Income Tax and the House Duty are among the more important taxes, and afford good examples of the working of the system of direct taxation. In describing the working of the local rating system, — that under which a man is called upon to pay his quota to municipal, Poor Law, and school board expenditure, — an individual case was taken as an illustration. The same plan will be adopted in explaining the Income Tax and the Inhabited House Duty.

Income Tax assessments are made under five schedules, lettered for distinction, A, B, C, D, E. Incomes

from land and houses are assessed under schedule A; incomes from the occupation of land, that is, from farmers and graziers, are assessed under schedule B; incomes from investments in railway companies, manufacturing companies, and all kinds of commercial concerns organized on a joint-stock basis, under schedule C; those from profits in trade and professions are assessed under schedule D; while under schedule E, are assessed incomes received as salaries from private employers and from offices under public companies.

The simplest form of schedule is that under which a person in receipt of a fixed and regular income as salary is assessed. Take, for example, the case of a man who is in receipt of a thousand pounds a year as a bank manager. Sometime about the middle of November in each year he will receive a communication from the surveyor of taxes. It will come addressed to the office of the bank, to the business address of the recipient of it; for the law directs that "persons engaged in any trade or profession, or exercising any employment or vocation, must make their returns for assessment in the parish or place where the trade, profession, or vocation is exercised."

It may be asked, "How does the surveyor of taxes know to whom to address his communications in a bank or a commercial office?" This question is easily answered. Some little time before he sends out his circulars he has served a form upon the registered secretary of the banking company, who is called upon, under heavy penalties, to enter upo

the names of every clerk or officer who is receiving a salary from the bank. The exact salary as it appears in the company's books is stated in each case, so that before the surveyor of taxes puts himself in communication with a clerk he knows the exact amount he is receiving as salary. There is nothing in the form which the surveyor sends out to the taxpayer to suggest this knowledge on his part ; all the blanks are left open, to be filled in by the person to whom it is addressed. In one of these blanks, headed "Schedule of Particulars of Income," the taxpayer is called upon to state, first, his income derived from his trade, profession, or other employment, and then to set out his income from "other sources." "Other sources," in the comprehensive phraseology of the Department of Inland Revenue, include profits derived from buying and selling stocks and shares, letting furnished houses or furnished apartments, interest on money on loan or deposit, including interest on banking account the duty on which is not deducted by the party paying such interest, and sums derived from railway and other investments "out of the United Kingdom."

The Income Tax assessors throw their nets very widely. Nothing can escape them, if the taxpayer means what he says when he declares over his signature "that all the particulars required in this notice to be returned as appertaining to me, in relation to the duties on profits on property, trade, profession, employment, or vocation, are in every respect fully and truly stated herein, according to the best of my judgment and belief, and according to the rules and

regulations of the Act of Parliament in that behalf made." The term "out of the United Kingdom," as it occurs in the schedule of particulars of income, is important to note; for it is only on investments of this character that the taxpayer has any opportunity of cheating the Imperial Exchequer. In respect of all investments in public companies of any description within the United Kingdom, the income tax is deducted before the dividend warrants reach the hands of the investor; and the net sum so deducted is paid in a lump to the collector of Inland Revenue by the treasurer of the company.

The same rule is followed in respect of interest on money on deposit with banks. In the case of small investors, whose total income from all sources does not bring them within the range of Income Tax, the money so deducted at the headquarters of the company in which they are shareholders may be refunded by the revenue authorities; but there is much official red-tape about the process, and people of small means are often taxed in this way when they should escape the Income Tax altogether. A case incidentally reported by Mr. Charles Booth, ex-president of the Royal Statistical Society, in his pamphlet "Old Age in the Villages," illustrates the hardship which sometimes attends this mode of collecting income tax on investments. It is that of a domestic servant, eighty-two years of age, who had been for many years in one household, and had saved enough money to maintain her in old age. Her savings were invested in railway stocks. "Her little dividends," writes Mr.

Booth, "came for a long time 'less Income Tax.' Only by accident, through a neighbor, she discovered not long ago that she could claim repayment ; but the vouchers not being forthcoming, the past payments were lost."

To continue with the case of the bank manager, assessed under schedule E. In the first blank in the schedule of particulars of income he must enter the sum of one thousand pounds. If his wife has an income in her own right, that also must be entered in the schedule ; as the income of a married woman living with her husband is deemed by the Income Tax Acts to be the husband's income, notwithstanding any settlement or the provisions contained in the Married Woman's Property Act of 1882, the law which protects the separate estates of married women ; and the husband is responsible for making to the Income Tax Commissioners a due return of any profits belonging to his wife. If the bank manager's salary represents his sole income, he writes the word "None" under the heading "Income from other Sources." If, on the other hand, his wife has an income of, for example, two hundred pounds a year, if this is not already taxed as an investment in the United Kingdom, he enters it in the schedule, and it goes to swell the amount on which he must pay taxes.

Only one deduction is allowed in the case of a man with a total income of over four hundred pounds a year. This is in respect of life insurance ; and to secure this deduction the taxpayer must fill up his

schedule, setting forth the amount of premium he pays to the life-insurance company, make another declaration in support of his claim for this relief, and send his last receipt from the insurance company to the surveyor of taxes.

When the form has been duly filled in, and the necessary declarations made, it is returned to the surveyor of taxes, and then goes before the Commissioners of Income Tax, who act as assessors. These are local officers appointed by the Board of Inland Revenue. They examine the statements made by the taxpayer in the form sent to him by the surveyor of taxes; and if, in their judgment, the statements are correct and in order, they pass on the papers to the collector of Income Tax, who serves a demand for payment on the taxpayer. If a man ignores the schedules he receives from the surveyor of taxes, and submits no particulars to the commissioners, they assess him on any amount they deem reasonable and fair, and pass on this assessment to the collector. Notwithstanding his early default in regard to the schedules from the surveyor of taxes, the taxpayer so assessed, even at this late stage, can appeal to the commissioners against their assessment, by giving prompt notice to the collector and at the same time furnishing him with the details which ought at an earlier date to have been given to the surveyor of taxes. If notice is not given within ten days, the right of appeal against an Income Tax asessment is lost.

From 1863–64 to 1892–93 the Income Tax in Eng-

land varied from threepence to eightpence in the pound. In 1893 it was sixpence; so that the bank manager with £1,000 a year would have to pay in that year one thousand sixpences less sixpence for every pound he paid out of his income for life insurance. If his life insurance cost him sixty pounds a year, the demand note he would receive from the collector of Income Tax would be made out in something this form: —

	AMOUNT OF ASSESSMENT.	DUTY PAYABLE.
Under Schedule E on Profits of	*£. s. d.*	*£. s. d.*
Office and Employment . . .	1,000 0 0	
Deduct Life Insurance	60 0 0	
Net Amount	940 0 0	23 10 0

The case of a man with a salary of £1,000 per annum has been taken as illustrating the working of the Income Tax system. This should be supplemented by one illustrating its working in the case of a man receiving two hundred or three hundred pounds a year; for in the case of an income below four hundred pounds a year a modified system of assessment is adopted. From 1843 to 1853 what was known as a differential rate of income tax was imposed. Thus in 1863 there were two rates, one of sixpence in the pound, and one of ninepence in the pound. All incomes under one hundred pounds were then free of Income Tax; on those between one hundred pounds and one hundred and fifty pounds the sixpenny tax was imposed; while on incomes of more than one hundred and fifty pounds the tax was ninepence in

the pound. In 1863 the differential system was abolished; all incomes above one hundred pounds were taxed; and this limit was continued until 1876, when it was advanced to one hundred and fifty pounds, a concession made to the lower middle classes during Lord Beaconsfield's 1874–81 Administration. Since 1876 all incomes below one hundred and fifty pounds have been exempt from taxation; and in the case of those above one hundred and fifty pounds, but less than four hundred pounds, a deduction of one hundred and twenty pounds is made, in arriving at the sum upon which taxation is paid.

The foregoing table shows the form of demand which a man in receipt of £1,000 a year would receive from the income tax collector in a year when the tax stood at sixpence in the pound. The following table shows the form of demand note which a man in receipt of a salary of three hundred pounds a year, and paying sixteen pounds a year for life insurance, would receive from the collector.

	AMOUNT OF ASSESSMENT.	DUTY PAYABLE.
Under Schedule E on Profits of	£ s. d.	£ s. d.
Office and Employment	300 0 0	
Deduct Abatement of £120	120 0 0	
Deduct Life Insurance	16 0 0	
Net Amount	164 0 0	4 2 0

The mode of filling up the five different schedules differs somewhat; but the two cases coming under schedule E, which have been cited, will serve to

illustrate the working of the Income Tax Acts, as they apply to men in receipt of salaries. There is little or no chance of escaping the Income Tax.

The ramifications of the Inland Revenue Department make escape almost impossible. Although the law requires that a man shall pay his tax in the parish in which his salary is earned, he does not go unheeded by the collector of taxes in the parish in which he lives. In the ordinary course of things, he comes into relationship with the collector of the parish in which he has his home in connection with the Inhabited House Duty; but the surveyor of taxes for his parish will also serve him with a demand for particulars as to income, exactly similar to that he receives at his business address. This duplicating of the demand for particulars is intended to meet the cases of doctors, artists, literary men, and people living on their means, whose home address is the only address they have. When a man who pays his Income Tax at his business address receives the papers of the surveyor of taxes at his home address, he returns them with a statement as to the parish in which he is already taxed. This statement is verified, and if found correct, no further demand for Income Tax is made upon him from this quarter.

The taxpayer, however, has not yet done with the collector in his home as distinct from his business parish. If he occupies a house rented at more than twenty pounds a year, he is taxed for it. The amount of the tax depends on the rental. There

are two schedules under which the Inhabited House Duty is assessed and collected, each with three different scales. In the first schedule are classed shops, inns, and farmhouses; private houses are in the second schedule. All local rates in England are assessed on the Poor Law valuation, which may be taken as equal to two-thirds of the rental value; but the Inhabited House Duty is chargeable upon the full rental value of a house. There is little yearly variation in the duty. In 1892–93, for houses in the first schedule, that is for shops and inns, it was twopence in the pound for houses rented at twenty pounds and less than forty pounds; fourpence in the pound for those rented at forty and less than sixty pounds; and sixpence in the pound for those rented at sixty pounds and upwards. Under this assessment a country innkeeper occupying a house which rented at forty pounds a year would pay six shillings and eightpence as Inhabited House Duty. The keeper of a hotel in a small town paying sixty pounds as rent would pay one pound, while the keeper of a hotel in London rented at five hundred pounds would pay twelve pounds ten shillings.

The scale for private houses is higher. In respect of those rented at sums between twenty and forty pounds, the tax in 1892–93 was threepence in the pound; between forty and sixty pounds, sixpence in the pound; and above sixty pounds, ninepence in the pound.

The bank manager whose case was taken to illustrate the working of the Income Tax system

would, if he made his home in any of the better class London suburbs, occupy a house of a rental value of about one hundred pounds. His annual contributions to the Imperial Exchequer in the way of Income Tax and Inhabited House Duty would therefore amount to twenty-seven pounds five shillings, made up thus: —

	£ s. d.
Income Tax on £1000, less £60 for Insurance, at sixpence in the pound	23 10 0
Inhabited House Duty ninepence in the pound on £100	3 15 0
	27 5 0

If he were an occupier only, that is, if he rented the house, this sum of twenty-seven pounds five shillings would represent his net payment to the Inland Revenue on account of these two taxes. If he owned his house, another charge of sixpence in the pound, also based on the rental value, would be levied upon him by the collector of Imperial taxes. In this case his account, as regards direct taxation, would stand thus: —

	£ s. d.
Income Tax on £1000, less £60 for Insurance, at sixpence in the pound	23 10 0
Inhabited House Duty, ninepence in the pound on £100	3 15 0
Income Tax in respect of property — house of the rental value of £100 a year, at sixpence in the pound	2 10 0
	29 15 0

Whether the taxpayer is the owner and occupier of the house, or only the occupier of it, in the first instance both the Inhabited House Duty and the Property Tax are levied upon him, and must be paid by him. In the case of the Property Tax, however, the law directs that the tenant shall withhold it from the owner, and the owner is bound under a penalty of fifty pounds to allow out of rent the tax which the tenant has thus paid in his behalf. Under this arrangement the surveyors of taxes are saved much trouble in tracing the ownership of property, when ownership and occupancy are in different hands. The occupier of a house may not know who is the actual owner; but he knows to whom he must pay the rent, and the intention of the law is to secure the tax out of the rent before the rent passes into the hands of the landlord. If there is a mortgage on the property, it is possible for the landlord later on to claim some abatement on that account, and also in respect of ground rent; but the tenant has nothing to do with these abatements, and must pay the full amount of the tax on the annual rent when he pays the Inhabited House Duty.

An income of £1000 will not permit its recipient to keep up much style, or make any great display; but for the purpose of carrying out the illustration of the English system of direct taxation, it may be assumed that the bank manager keeps a horse and carriage; that a boy who wears buttons attends to the horse; and that the bank manager also keeps a dog, and is in possession of a gun, with which on two

or three days in the autumn or the winter he goes out shooting. These indulgences will make a serious difference in his accounts with the collector of Inland Revenue. His total account, irrespective of his license to kill game, will then stand thus:—

	£	s.	d.
Income Tax on £1000 less £60 for insurance, at sixpence in the pound	23	10	0
Inhabited House Duty, ninepence in the pound on £100	3	15	0
Income Tax in respect of property — house of the rental value of £100 a year, at sixpence in the pound	2	10	0
Armorial bearings	1	1	0
Use of the same on carriage	2	2	0
Tax on man-servant		15	0
License for dog		7	6
Gun license		10	0
Total	34	10	6

This sum of £34 10*s.* 6*d.* would represent the bank manager's total contribution to direct taxation. And yet not quite all; for every time he pays his grocer or his butcher by check, the Inland Revenue Commissioners, by means of their stamp, collect a penny on each and every transaction.

When once a man is in receipt of an income over five hundred pounds a year, the collectors of Inland Revenue are always lying in wait for him. They are with him in his periods of prosperity and in his times of depression. They are waiting to collect a toll when he apprentices his son to an engineer, or gives another a start in life as a lawyer. When he receives a check

from abroad, tribute must be paid to the Imperial Exchequer before it can be placed to his account with a banker; and if the banker should fail, tribute must be paid before the creditor's claim can be lodged with the Official Receiver. Nor do these charges end with a man's lifetime. When a man dies, probate duty must be paid on his estate, and succession and legacy duty by those who benefit under his will. A man in receipt of less than one hundred and fifty pounds a year, is far less frequently reminded of the existence of a Government with powers to tax him. He escapes altogether the Income Tax, and seldom occupies a house for which the Inhabited House Duty is paid. In the long run, he pays his quota to imperial taxation, but almost entirely in an indirect way, — through the grocer, the retailer of beers and spirits, and the tobacconist. The surveyor of taxes, the Income Tax commissioners, and the collector of Inland Revenue are all unknown to the artisan earning two pounds a week, who lives in a house rented at twelve or fifteen pounds a year. For years past, the Chancellor of the Exchequer's annual statement and his financial proposals have had little direct interest for the laborer and the artisan. It is not until a man pushes his way into the lower middle class, and finds himself with an income of two hundred pounds a year, or more, and a house rented at more than twenty pounds, that he experiences any feeling of personal interest as Budget Night comes round in the House of Commons. When he reaches this stage of prosperity, an

additional penny on the Income Tax is a matter of more than academic interest to him; for, on an income of two hundred pounds, it means an additional six or seven shillings to his annual contribution to direct taxation.

CHAPTER VI.

PARLIAMENT AND THE CONSTITUENCIES.

County and Borough Constituencies. — Membership of the House of Commons. — University Seats. — Parliamentary Franchise. — Three Great Reform Acts. — Parliamentary Franchise before 1832. — Nomination and Rotten Boroughs. — Early Agitation for Reform. — Struggle in Parliament over the Act of 1832. — Creation of Middle Class Electorate. — Reform Act of 1867. — Working Classes in Towns Receive the Franchise. — The Acts of 1884 and 1885. — Enfranchisement of the Working Classes in Rural Districts. — Increase in Membership of the House of Commons. — Qualifications of Voters. — Registration. — Local Political Organizations. — Revising Barristers' Courts. — Political Contests in the Revision Courts. — Procedure at Parliamentary Election. — A Contested Election in a Typical Borough. — Political Clubs. — Selection of Parliamentary Candidates. — Local Candidates and Carpet Baggers. — Party Headquarters in London. — Reception of Candidate by Local Committee. — Candidates' Activities in the Constituency. — The Canvass. — Working of Ballot and Corrupt Practices Acts. — Cost of Elections. — Limitations of Cost. — Dissolution of Parliament and the Issue of New Writs. — Nomination and Election Days. — The House of Lords and a General Election. — Constitution of the House of Lords. — Law Lords and Lords Spiritual.

ENGLAND and Wales and Scotland and Ireland, for Parliamentary elections, are divided into county and borough constituencies. There are in all 670 members of the House of Commons. England has 465; of whom 226 are representatives of boroughs, 234 of county constituencies, and 5 of universities — that is, two each for the Universities of Oxford and Cambridge, and one for the University of London. At the elections for the university seats, the voters are the graduates who have retained their

names on the university books. Wales has 30 members in the House of Commons, Scotland has 72, and Ireland has 103. The county divisions embrace the rural districts and, generally speaking, all the country lying outside the large boroughs. In some few instances, mainly in the north of England, boroughs with over 30,000 inhabitants are included in county divisions; but most of the boroughs with populations of 30,000 or over have members of their own.

Since 1884 the franchise has been the same in the county and the borough constituencies and in all parts of the kingdom. It may be exercised by every man who between the month of July in one year and July in the next has occupied a house or part of a house, or has been in possession of other premises or land for which rates have been paid for the relief of the poor. Women vote at elections for Poor Law guardians, town councils, county councils, and school boards, but are not permitted to vote at elections of members of the House of Commons.

It required nearly a century of agitation and three great Acts of Parliament to give England its present system of Parliamentary representation. The first of these Reform Acts was passed in 1832, the second in 1867, and the third in 1884. The most important of them was that of 1832, which swept away numerous rotten and nomination boroughs, and bestowed the electoral franchise on the middle classes. For more than eighty years previous to the Act of 1832 Parliamentary Reform had from time to time been discussed in Parliament, and more or less agitated in the country.

As far back as the last Stuart rising, in 1745, Sir Francis Dashwood had moved a resolution in the House of Commons calling for "measures as would secure to His Majesty's subjects the perpetual enjoyment of their undoubted right to be freely and fairly represented in Parliaments frequently chosen, and exempted from influence of every kind."

In those days, and until after 1832, there was no pretence that the people were freely and fairly represented in Parliament. In 1745, and increasingly as time went on, the election of members of the House of Commons was in the hands of the few, mainly of the large landowners, — the aristocratic and territorial families; and as late in the nineteenth century as 1820 it was computed that of the 658 members then composing the House of Commons, 306 were returned by 160 persons. Pitt associated himself with the question of Parliamentary Reform in 1782, and endeavored to pledge the House to measures against bribery, for the disfranchisement of the numerous corrupt boroughs, and for giving additional members to London, and to some of the counties in which, owing to the development of mining and manufacturing, population was increasing. Nothing came of Pitt's effort. Parliamentary Reform was thrown back a quarter of a century by the French Revolution, and had no prominent place in English politics until after the peace which followed the battle of Waterloo.

There was little hope for Reform during the time of the last two Georges; but with the accession of

William IV., in 1830, the outlook became brighter. The new king was favorable to the Whigs, who were the advocates of Parliamentary Reform; and when Earl Grey, the Whig leader, undertook in 1831 to form a Government, it was on the express understanding with the king that Parliamentary Reform was to become at once a Government measure. The king accepted this condition; and in March, 1831, Lord John Russell, the leader of the Whigs in the House of Commons, introduced a measure intended to give "the real property and the real respectability of the different cities and towns the right of voting for members of Parliament." This measure did not get very far. A crisis occurred in connection with it which led to a dissolution; but at the General Election which followed, the supporters of Reform were returned with a large majority. The new Parliament met in June of the same year; and, by the end of September, the Reform Bill had been carried through its several stages, and finally passed by a majority of 116 in a division in which 584 members voted. The House of Lords threw out the measure, and a period of violent agitation in the country ensued. The next year the bill was re-introduced in the House of Commons, sent up to the House of Lords, and, on a hint from the king that opposition would be overridden by the creation of new peers, the Lords passed the bill, and the first stage in the Reform Era came to an end.

Under the Act of 1832 the Parliamentary franchise was conferred on large leaseholders in the

rural districts, and on householders in the incorporated boroughs, whose premises were assessed to the relief of the poor on a rating basis of ten pounds a year, which meant that none but persons living in houses rented at fifteen or sixteen pounds a year were allowed to vote. The Act, in short, created a middle class electorate; and this electorate remained in possession of Parliamentary power until 1867, when the second great measure of Reform was passed. The Act of 1867 was preceded by several years of agitation, and was at last hastened by a popular outbreak in the metropolis, demonstratively violent in its nature, but not nearly so violent as that which intervened between the rejection of the Reform Bill by the Lords in 1831, and the final passing of the Act in 1832.

The second of these Acts, that of 1867, while it did away with the ten-pound qualification and conferred the franchise on all male householders who paid poor rates, was applicable only to the boroughs, to the large towns which were incorporated under the Municipal Corporations Act of 1835. It enfranchised the working-classes in these towns; but it left the working-classes in the rural districts just where they were left after the middle class measure of 1832, and it was not until 1884 that they were intrusted with the Parliamentary franchise. Up to this time the number of members of the House of Commons was 658, the same as at the beginning of the century; but by a measure for the redistribution of seats which followed the Reform Act of 1884, the

number was increased to 670, divided between England and Wales, Scotland and Ireland, and between the counties and boroughs in the proportions stated at the outset of this chapter. Such in brief outline is the story of the series of legislative measures by which in a period extending over slightly more than half a century—1832 to 1884—Parliamentary power has been transferred from the land-owning classes to the democracy.

The right to vote at a Parliamentary election depends upon two conditions: one, that a man has occupied for a year premises rated to the relief of the poor, and, two, that his name is entered upon the register of electors for the borough or division of the county in which the qualification exists. The compiling of this register is in the hands of the overseers of the poor. It is a long and expensive business, not only for the overseers whose expenditure is defrayed out of the rates, but also for the political organizations whose members have an interest in a full and correct register of the electors of their own party in the constituency in which the organization carries on its work. Two lists are prepared. The first is compiled in August by the overseer, and comprises, or is supposed to comprise, the names of all persons who have occupied houses, premises, or land, rated to the relief of the poor between the month of July, just passed, and the same month in the preceding year.

The overseers prepare this list from the rate books; and as soon as the list is completed, copies are printed

and displayed for a certain number of days at the offices of the overseers, on the outside doors of all churches and chapels, at the town hall, at the offices of the clerk to the Poor Law guardians, at the police headquarters, at the political clubs, and in other public places. Every man who is entitled to a vote is supposed to examine the list. If he finds his name and address are duly entered and he is otherwise properly described, the matter gives him no further concern, unless he is subsequently served with a written notice from the agent of one of the political parties that they intend to object to his being on the register and furnish him with a statement of the ground for that objection. In this case the elector knows that he will have to make an appearance at the Revising Barrister's Court to make good his claim to a place on the register. If he finds that his name is not on the preliminary list, he goes to the office of the overseers and fills up a printed form claiming a vote, and his name is then published in a new list known as the claims list. The claims list, together with the list of persons who have been objected to by the political agents on either side, is hung on the church door and remains there, like the overseers' list, for a certain number of days.

By this means of publication it is open to every one to see who is on the preliminary list, who has been objected to, and who is claiming a vote, and the qualifications in respect of which it is claimed. At the end of the period fixed for the publication of the lists the work of revising them is commenced.

It is undertaken by a Revising Barrister, that is, by a lawyer supposed to be learned in electoral law, who is appointed by the Lord Chancellor to revise the lists in certain electoral divisions, and in which for this purpose he holds a court like a judge. Before the Revising Barristers open their courts, the registration agents of both political parties have discharged a considerable amount of preliminary hard work, and with the opening of the court the battle over the registers begins in earnest. It is fought at close range, and is frequently characterized by some bitterness of feeling, especially in constituencies which are evenly divided, and in which the sitting member of the House of Commons holds the seat by only a small majority.

The registration agents are permanent officials; and the payment of them and the maintenance of their offices and staffs of assistants cost members of Parliament and candidates who are before the constituencies, or in some cases the local political parties, from three hundred to eight hundred pounds a year. All the year round these agents of the political parties employ themselves in keeping a watch over the removals of all householders known to be on their side in politics, and in seeing that these householders do not lose their places on the registers as a consequence of changing their abodes.

As soon as the preliminary registers are out, the registration agent on each side, Liberal and Conservative, goes over every name. If he finds the name of a man whom he knows will vote with the

opposite party, and he has reasons for doubting his qualifications, he promptly lodges an objection against him, and gives him notice that his right to vote is in dispute. If, on the other hand, he fails to find the name of a man on the register who he has reason to believe will vote with his party, and who he thinks has the slightest claim to a vote, he forthwith sends in a claim to the overseers in his behalf, and begins to collect evidence in support of the case he is to make good in the Revising Barrister's Court.

When the court opens, the man who has been objected to, or in whose behalf a claim has been made, appears before the barrister to show that the objection is without foundation, or to prove his claim. In some respects he is in a position not unlike that of a litigant in an ordinary lawsuit. In the case of a man who has been objected to by the Liberals, the Tory agent will act as counsel, or lawyer for what may be called the defence, while the Liberal agent will endeavor by evidence and argument to make out the case against his vote, and bring about the striking-off of his name from the electors' roll. If the Liberals succeed, the man's name is struck off ; if they fail, and the man makes good his claim, the court allows him an attendance fee, and any reasonable expenses to which he may have been put in defending his claim. The awarding of these fees and expenses, to be paid by the opposing political party, is the principal check on the lodging of trivial objections.

The receipt of Poor Law relief disqualifies a man

from voting at Parliamentary elections; and no man can claim a place on the Parliamentary register who has served a term of imprisonment during the qualifying period. Lodgers must claim their votes every year. They may stay a dozen years in one set of rooms; but each year they have to make a new claim, and are liable to be summoned before the Revising Barrister's Court, to prove that during the qualifying period they have been the sole occupiers of rooms which, if let without furniture, would command rents of not less than ten pounds a year.

When the Revising Barrister has gone over the lists in the way described, the lists are reprinted and signed, and become the official register on which all elections occurring between November of one year and November of the ensuing year are contested.

The mode of procedure at a Parliamentary election is practically the same all over the country. In describing it, it may be best to take an average-sized constituency of the character of that used in illustrating the working of the system of municipal government, — a self-contained single-member borough. There are numerous constituencies of this character, with Parliamentary electoral rolls numbering from five to eight thousand voters. Each of them stands apart from the county or the neighboring borough constituencies, and it is perhaps a little easier to follow the methods in such self-contained and compact constituencies than in a London or a county division.

It may be assumed that in the last House of Commons, the borough was represented by a Conserva-

tive who, on a register of about 7,500 voters, was elected by a majority of 250 or 300. It will be of advantage, also, to assume that the member then elected is now about to retire, and that at the forthcoming election each political party in the constituency has to find a new candidate for the seat.

Since the extension of the franchise to the working-classes by the Reform Act of 1867, both political parties have endeavored to maintain permanent clubs in the borough constituencies. The effort has not been attended by much success. English people, as a rule, take but a quiet and passive interest in politics, except at election times. There are practically no offices to be awarded to active local politicians. There is nothing, in fact, to hold these local political clubs together between one General Election and another; and if it were not for their social side, for the billiard-rooms, the card-rooms, the bowling-greens, and the drinking-bars, many of these clubs would collapse in the interval. They form meeting-places for men of two opposite classes, although belonging to the same political party.

In such a borough as the one chosen, neither the Liberal nor the Conservative club will have more than four hundred members. Of these, perhaps thirty or forty are men who may be classed as local politicians. They form the local political committee, and are usually elected annually by the members of the club. The voting for these members of the committee is about the only political duty discharged by the majority of the members in connection with

their membership of the club between one election and another. The majority of the club members are young men; some of them are under age, and are not voters, and their connection with the political organization is entirely due to the social advantages a cheap club offers them. The local clubs of both political parties are conducted on the same lines, and the personnel of their membership can be divided in almost exactly the same way.

It is in the selection of the new Parliamentary candidate for the borough that the local political club, or its active political section, comes on the scene and into touch with the party generally in the constituency. First of all, the political committee look about for a likely local candidate. They must select a man of some wealth, for it will cost him from £450 to £600 to fight the election; and if he succeeds it will cost him at least another £200 or £300 to maintain his hold on the seat until the next General Election comes round. This sum is expended mainly in registration work, in seeing that his partisans are placed on the electoral roll, and, where it is possible, that those of the opposition candidate are kept off.

There is no salary attaching to the office of member of Parliament, no mileages, and no free travelling on the railways between the constituency and Westminster. Every penny of his election expenses must be found by the candidate himself, or by his political friends. It frequently happens that local candidates are not forthcoming. In such a case, the committee

of the local club is compelled to look abroad for a candidate. To this end, it puts itself in communication with the Parliamentary whips of the party, who in turn are in constant communication with their party headquarters association in London, — the National Liberal and Radical Federation for the Liberals, and the National Union of Conservative Associations for the Conservatives. The committees of each of these organizations are practically dominated by a few of their more active members, in close association with their organizing secretary, who receives £800 or £1000 a year for his work.

A borough, like the one in mind, would command first-class candidates from the headquarters committees in London; for from the closeness of the polling at the last election, either candidate would have an excellent fighting chance. As the borough is in the hands of the Conservatives, that party has the best chance of success; and only a candidate who has fought a series of forlorn hopes in other constituencies, and has established good claims on the party whips in London, would be assigned by the Conservatives to contest the seat. The Liberals would select an equally good candidate, also with good claims on their national organization; for with hard work and the changes which are apt to take place in a constituency between one General Election and another, there is every possibility of turning the Conservative majority at the preceding election into a minority. At headquarters in London, there is no trouble in finding a candidate. The secretary of

each national organization has a list of men who are eager to contest likely constituencies. These men are carpet-baggers, of course; but as neither residential nor any other qualification is necessary for a Parliamentary candidate, and as quite one-third of the members of the House of Commons are usually of this class, it is seldom to a candidate's serious disadvantage to be a carpet-bagger; and, if he is elected, the fact that he is a carpet-bagger saves him from numerous local calls upon his purse, and from a hundred petty annoyances which are the lot of the man whose home is in the constituency he happens to represent in Parliament.

The candidate who is thus assigned after the application to headquarters, goes to the constituency with letters of introduction to the chairman of the local organization, and in due course has an interview with the local committee. His political views are already known; all that the local committee desires to be assured of, is his record as a politician, the length of his purse, and his presentability as a candidate. As soon as the committee is satisfied upon these three points, it passes a resolution adopting him as the candidate, and then calls a mass meeting of the party with a view to introducing him to the constituency, and getting the rank and file of the party — those not actively connected with the local political club — to approve of the choice which the local committee, with the aid of the headquarters association in London, has made. The candidate at this mass meeting makes a speech, stating his views on current

political questions; and, at its close, the meeting either indorses or repudiates the action of the local committee in selecting him. It rarely happens that the action of the local committee is repudiated. The rank and file are disposed to take its word for everything, and the committee invariably makes itself sure about its man before introducing him in public meeting to the constituency.

When the mass meeting has thus approved of the selection, the candidate is regarded as formally before the constituency, and at once begins his canvass. It frequently happens that when the present member is about to retire, and this fact is well known, the new candidate is before the constituency for a couple of years or even longer, prior to the General Election. As soon as the local Conservatives have accepted their candidate, the local Liberals begin to look around for theirs, and go through the same proceedings as the Conservatives.

If the election is eighteen months or two years off, both candidates take matters easily for awhile. They are in and out of the constituency as frequently as possible, but content themselves so far as outside work is concerned with two or three meetings in the course of the year. But things brisken up as the election approaches, and for three months before the time the candidates and their friends are exceedingly active. Neither of them loses an opportunity of making a public or a ceremonial appearance. Any kind of public gathering will serve their purpose —a church foundation-stone laying, church bazaars,

friendly society dinners, or concerts and entertainments in behalf of local charities, football games in the winter and cricket matches in the summer. No phase of local public charity escapes their attention. As a rule, the Conservative candidate monopolizes the chief place at meetings and festivals in connection with the Church of England; while the Liberal candidate has the foremost place in all these gatherings in connection with the various Nonconformist or free churches.

As to the political work in the constituency, when the election is imminent meetings are held almost every night in the week; while in the daytime the candidate makes a house-to-house visitation all over the constituency with a view to making himself personally known to the voters and obtaining their pledges of support at the polls. No voter is beneath the candidate's personal attention. During all this time, of course, Parliament is still in session; and until the dissolution is announced, the election, strictly speaking, has not commenced. These are only the preliminaries; but nowadays, when the Ballot Act and the Corrupt Practices Act have served to compress a General Election into two weeks, or three at the outside, these preliminaries are the most important part of a contested election.

The Ballot Act was passed in 1872, and superseded the old system of open voting. The Corrupt Practices Act was passed in 1883: its intention is to check corrupt practices at elections by punishing and degrading the offenders; to facilitate the detection

of offenders; to limit the extent of paid agency in the conduct of elections, and also to limit by means of a fixed scale the amount of expenditure at elections by the candidates.

With respect to expenditure by candidates, this is regulated by the size of the constituency. In a borough the expenses of an election, other than personal expenses and sums paid to the returning officer for his charges, are not allowed to exceed £350, if the number of electors on the register does not exceed two thousand. If it exceeds two thousand, the maximum amount is £380, with an additional £30 for every complete one thousand electors above two thousand. In a county division, if the electors do not exceed two thousand, the maximum amount is fixed at £650; if they exceed two thousand, £710, and an additional £60 for every complete thousand electors above two thousand.

The law also provides that no payment is to be made for the conveyance of electors to or from the polls, whether by hiring horses or carriages, or for railway fares; that no elector is to be paid anything for the use of any house or building for the purpose of exhibiting addresses or placards; that no payment is to be made for the use of any committee-room beyond one room for every five hundred electors; nor on account of any band of music, torches, flags, banners, cockades, ribbons, or marks of distinction.

In short, a candidate who is contesting a constituency can expend money only (1) in paying the charges of the returning officer; (2) on his own per-

sonal expenses; (3) on printing, advertising, publishing, issuing, and distributing addresses and notices; (4) on stationery, messages, postage, and telegrams; and (5) on the expenses of holding public meetings.

The law also limits the number of persons to be employed and paid as election agents, polling agents, clerks, and messengers; and all persons so employed are forbidden to vote. A candidate must employ one election agent; but he is prohibited from employing more than one. No money can be paid, or contract made, in connection with the election, except by this agent; and within thirty-five days after the election, the agent must send to the returning officer a detailed account of all payments made in connection with the election, together with the vouchers of payment and the statement of all money received by him for the purposes of the election. These accounts are afterwards published in the advertising columns of the newspapers.

Bribery, treating, undue influence, and illegal practices are all severely dealt with by the Corrupt Practices Act. Under its provisions every person is pronounced guilty of bribery who "directly or indirectly, by himself or by any other person, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure, or to endeavor to procure, any money or valuable consideration, or any office, place, or employment, to or for any voter, or to or for any person on behalf of any voter, or to or for any person in order to induce any voter to refrain from voting, or who in any similar manner seeks to induce

any person to procure, or endeavor to procure, the return of any person to Parliament, or the vote of any voter at any election." With respect to the recipient of bribes, the law sets out that every elector who "directly or indirectly receives, either before or during election, any consideration of the kind mentioned, either for voting or refraining from voting, is guilty of bribery," as also is any person who after election, "directly or indirectly, by himself or by any other person in his behalf, receives any money or valuable consideration on account of any person having voted, or refrained therefrom, or having induced any other person to vote, or refrain from voting."

As to treating, the law pronounces guilty of it any person "who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly, gives, or provides, or pays wholly or in part the expense of giving or providing, any meat, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing his vote, or inducing him to refrain from voting, or on account of himself or any other person having voted or refrained from voting, or being about to do one of these things; and every voter who accepts such forbidden attentions is equally guilty."

As regards undue influence, every person is guilty of exercising this, who "directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts, or threatens to inflict, by himself

or by any other person, any temporal or spiritual injury, damage, harm, or loss, upon or against any person, to induce or compel him to vote, or to refrain from voting, or on account of his having done either of these things, or who by abduction, duress, or any fraudulent device or contrivance, impedes the free exercise of the franchise of any elector."

Persons found guilty of bribery, treating, or undue influence are liable to fine or imprisonment; and for a period of seven years from the date of conviction, they are incapacitated from being registered as electors, or voting at any election in the United Kingdom, whether it be a Parliamentary election, or an election for any public office; from holding any public or judicial office; or from being elected to, or sitting in, the House of Commons.

The Ballot Act was expected to do much in putting an end to the corrupt practices which had prevailed at Parliamentary elections up to the Reform Act of 1867; but only to a small extent was it successful. Bribery and corrupt practices were common at the two general elections which followed the adoption of the ballot, — the first in 1874, and the second in 1881. The election in 1881 was particularly remarkable for corrupt practices, and some startling evidence was forthcoming at the election petition trials which followed before the judges of the Court of the Queen's Bench. Two years later the Corrupt Practices Act was carried through Parliament. Mr. Gladstone and the Liberals were then in power; but after the revelations at the petitions trials, public

feeling in favor of reform was so strong that the bill was allowed by the Conservatives to pass its second reading in the House of Commons without a division. The measure has undoubtedly served its purpose well, and will do so increasingly as the election petition trials, which in larger or smaller number follow each General Election, educate people as to the provisions of the Act, and make better known the severe penalties attaching to the violations of the law.

To return to the borough in which the mode of procedure at a General Election was being followed. As soon as the dissolution of Parliament is announced, the candidates issue their electioneering addresses, and the blank walls of the town become radiant with electioneering literature in blue and red ink. The mayor of the town acts as returning officer; but he can take no steps whatever until he is in actual receipt of the writ, which is issued from the Crown Office, in the House of Lords, on the same day that Parliament is dissolved. All the six hundred and seventy writs go out from this office by mail on the same day. They are taken by a messenger or pursuivant attached to the Crown Office, who delivers them to the Postmaster-General at St. Martins-le-Grand, and receives an acknowledgment in writing stating the time of delivery. The local postmasters are then instructed to deliver the writs and to obtain a receipt from the returning officer in each case, also stating the time when delivered. These receipts are immediately forwarded to the

Postmaster-General, who files them in a book which is kept at St. Martins-le-Grand for the inspection of persons interested.

The form of writ is as follows : —

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the Mayor of the Borough of greeting: Whereas by the advice of Our Council we have ordered a Parliament to be holden at Westminster on the day of next: We command you that, notice of the time and place of election being first duly given, you do cause election to be made according to law, of members (or a member) to serve in Parliament for the said borough, and that you do cause the names of such members, when so elected, whether they be present or absent, to be certified to us in Chancery without delay.

Witness Ourselves at Westminster the day of in the year of Our reign and in the year of Our Lord 18

The writ is printed on parchment about twelve inches by eight. Nothing except the dates and the particulars necessary for the different constituencies is inserted by hand. In the space in the left hand corner is the wafer of the Great Seal. On the right is the printed signature of the Clerk to the Crown. On the back of the writ the mayor or sheriff enters the date when he received it. When the election is over he certifies the name of the member who is returned. The writ is then sent back by mail to the Crown Office with the same ceremony as before.

As soon as the mayor receives the writ, he an-

nounces the date on which he will sit at the town hall to receive nominations, and the date on which in the event of a contest the election will be held.

In a borough not less than two clear days, and not more than three, must elapse between the receipt of the writ and the date of the nomination; and the poll must be taken not later than three clear days after the nomination. Thus in eight days after the dissolution of Parliament all the borough elections are over. A few days longer are allowed in county divisions, as the territory embraced in county constituencies is much larger, and longer time is necessary to the high sheriff and his deputies for the organization of their work as returning officers. In the London divisions the clerks to the vestries act as returning officers.

On the nomination day the candidate and his friends appear before the mayor and formally hand to him the paper in which are set out the name and rank of the candidate, together with the names of not less than eight of his supporters. All these supporters must be electors of the borough. At the same time the candidate or his agent hands to the mayor the sum which the mayor has stated will form the candidate's share of the out-of-pocket expenses incurred in the official part of the contest. When only one candidate is nominated, the mayor remains in attendance during the time announced for the receipt of nominations, and at its expiration formally announces that as only one candidate has been brought forward, that candidate is duly elected.

Every detail in the official arrangement for taking a poll is left to the mayor. He appoints the presiding officer and the polling clerk for each booth in which the balloting takes place, and also the staff of clerks who count the ballots when the polling is over. He also provides the balloting papers, and is responsible for their safe custody before and after the election. On these papers there is nothing to indicate the politics of the candidate. Both names are printed on the one paper, and arranged in alphabetical order. When a voter is unable to read, he must make a declaration to that effect, when the names of the candidates are read over to him. This is all the help he receives. Each political party is allowed a representative in the polling booth ; but apart from these men, none but electors are permitted within its portals.

The ballot is absolutely secret. Various devices are used for ascertaining the progress of the polling; but not one of them works well, and in a closely contested election the issue is doubtful to the last. The polls open at eight in the morning, and remain open until eight in the evening. As soon as the polling is at an end, the boxes are sealed in the presence of witnesses, and carried to the town hall under a guard of police. There they are delivered into the custody of the mayor. As soon as all the boxes are in, the seals are broken and the counting commences. It is done with such extreme care, and the process is hedged about with so many safeguards, that tampering with ballots is impossible.

The counting takes place behind barred doors, and no one is allowed in or out until it is at an end. The announcement of the result is made orally in front of the town hall by the mayor, who afterwards returns to the Crown Office the writ which entitles the successful candidate to a seat in the House of Commons.

Only as concerns the representative peers of Scotland is the House of Lords directly affected by a General Election. The number of the members of the House of Commons has been altered but once in the course of a century. This was by the Redistribution of Seats Act of 1885, which followed the extension of the franchise under the Parliamentary Reform Act of 1884, and fixed the membership at 670. The number of members of the House of Lords is not so fixed. It varies from time to time, owing to the deaths of peers who do not leave male heirs, to the deaths of those whose successors are minors, and to new creations. At the end of 1892 there were 545 members of the House of Lords, made up thus: Peers, 469; Lords of Appeal and Ex-Lords of Appeal, 5; Representative Peers of Scotland, 16; Representative Peers of Ireland, 28; Lords Spiritual, 27.

The Lords of Appeal are lawyers of great distinction who are appointed by the Queen and hold office during good behavior. Their number is always about the same. Their work is mainly judicial; but these Law Lords, as they are called, also speak and vote in the deliberative and legislative proceedings of the Upper House. The position of a Lord of Appeal

differs from that of an ordinary peer in that his office is not hereditary. As regards the representative peers, those from Ireland, who number 28, are elected for life; those from Scotland, who number 16, are elected at a meeting of Scotch peers, held in Holyrood Palace, Edinburgh, after each General Election, and hold office during the lifetime of a Parliament. The Lords Spiritual include (1) the Archbishop of Canterbury, the Archbishop of York, the Bishops of London, Durham, and Winchester; and (2) twenty-two out of the other twenty-nine bishops of the Church of England. The prelates whose titles have been given take their seats in the House immediately on appointment; the other bishops take their seats by order of seniority of consecration. The prelates who are without seats in the House of Lords are known as junior bishops. The Bishop of Sodor and Man has a seat in the House of Lords, but no vote. His diocese is comprised in the interesting little island with a national life of its own almost apart from England, lying midway across the Irish Sea, between Lancashire and the coast of Ireland.

The members of the House of Lords are prevented by law from interfering in any way in the election of a member of the House of Commons. A peer can neither vote at a Parliamentary election, nor speak, nor work, nor exercise any direct influence in a constituency on behalf of a candidate. For example, Lord Salisbury, who was Prime Minister during the existence of the 1886–92 Parliament,

could make no speeches in a constituency in aid of a candidate of his own party in the General Election which followed the dissolution of this Parliament. Members of the House of Lords occasionally take part in political demonstrations in the constituencies; but their presence at these gatherings would be out of order on the eve of an election.

After a General Election, the new presiding officer of the House of Lords is not appointed until the new Cabinet has been formed. The Lord Chancellor, who is chosen of the Cabinet in the same way as its other members, acts as Speaker to the House of Lords. His position there differs considerably from that of the Speaker in the House of Commons. The Speaker holds a strictly non-partisan office, and takes no part in the debates and discussions except when points of order and procedure are raised. In the House of Lords the Lord Chancellor is always of the same political party as the Government, and from his place on the Woolsack addresses the House like any other peer. The House of Lords elects its own Chairman of Committees. His office is non-partisan, and to it is attached a salary.

CHAPTER VII.

PARLIAMENT AT WORK.

The High Court of Parliament. — Opening of a New Parliament. — Election of Speaker. — A New Administration. — Formation of New Cabinet. — Typical Cabinet. — Re-elections after Acceptance of Office. — Seating of Members and Arrangement of House of Commons. — Commencement of New Session. — Speech from the Throne. — Debate on the Address to the Crown. — Opening of a Sitting of the House of Commons. — Orders of the Day. — Private Business, Petitions, Questions, and Motions for Adjournment. — Introduction of New Members. — Stages of a Bill. — Introduction and First Reading. — Second Reading. — The Speaker's Eye. — Whips and their Duties. — Divisions. — Instructions to Committees. — Proceedings in Committee. — Chairman of Committees. — Piloting a Bill through Committee. — The Government and the Time of the House. — Third Reading. — Messages between the House of Commons and the House of Lords. — The Royal Assent. — An Act of Parliament. — Voting Money for Public Services. — Quorum. — Counts out. — Procedure in Committee of Supply. — Committee of Ways and Means. — The Budget and Taxation. — Private Members' Bills. — Select Committees, Committees on Private Bills, and Standing Committee. — Procedure before Private Bill Committees. — Parliamentary Barristers. — Royal Commissions. — The Life of a Parliament. — The Chiltern Hundreds. — Elevation to the Lords. — Expulsion of Members. — Deceased Members. — Members and their Constituents. — Character of Membership of House of Commons. — Changes due to the Later Reform Acts. — Politics as a Career. — Prizes open to Lawyers. — Nouveaux Riches and Parliamentary Life. — Baronetcies as Rewards for Political Service. — Journalism and Politics. — Labor and Socialism in the House of Commons.

THE Crown, the House of Lords, and the House of Commons constitute the High Court of Parliament. The two Houses, convened by royal authority and acting conjointly with the Crown, constitute

the Legislature. After a general election the date appointed for the return of the writs is announced by a royal proclamation, and on that day the members assemble at Westminster. The Lords meet in their Chamber, and the Commons in theirs. The preliminaries attendant upon the opening of Parliament take place in the House of Lords, and are common to both Houses.

The Lords Commissioners, who represent the sovereign, sit in the Chamber of the Lords; and into their presence the members of the House of Commons are summoned by Black Rod, the officer in attendance upon the House of Lords. When the members of both Houses are present, the Lord Chancellor, who is always one of the Royal Commissioners, and the spokesman of the Commission, informs them that as soon as the members have been sworn, the sovereign will declare "the cause of their being called together." Then the members of the House of Commons are directed to return to their own Chamber and there elect a Speaker.

The Speaker is chosen by the House from its own members, and holds what is strictly a non-partisan office during the lifetime of the Parliament, at the commencement of which he is elected. He is provided with a residence within the Houses of Parliament, and is paid a salary of five thousand pounds a year. A Speaker never returns to his former position as a member of the House. At the end of his term he is elevated to the peerage, and is granted a pension of four thousand pounds a year for two lives.

He may, however, act as Speaker in several Parliaments. He presides over the deliberations of the House of Commons, but does not speak, except to settle a point of order, or in answer to a question as to procedure. Except when the House is in committee, when his place as presiding officer is for the time taken by the Chairman of Committees, the Speaker does not leave the Chair, nor does he ever go into the division lobbies. Should the numbers be equal on a division, the Speaker gives a casting vote. When in the chair he wears a wig, a robe with a long train, knee breeches, and buckled shoes.

The election of Speaker is the first duty undertaken by the members of the new House of Commons. When the members assemble after their return from the House of Lords, the Chair is vacant; but at the long table in front of it sits the Clerk of the Commons House of Parliament, an officer appointed by the Crown, who, among other duties, acts as president of the House during the choice of Speaker. The Clerk is informed beforehand as to which member is about to propose another member for Speaker; and when the Commons are assembled for the election, he points to the member who has been deputed to act in this way. The member so indicated then rises, and addressing the Clerk, proposes that the Honorable or Right Honorable member for —— "do take the chair of this House as Speaker."

All members of the House of Commons are Honorable, although the title is confined to use within the House; those who are of the Privy Council or who

have been in the Cabinet are Right Honorable; those who are of the Bar are Honorable and Learned, or Right Honorable and Learned in the case of lawyers who have been of the Administration; members who have been of the army or the navy, or are still of those services, are Honorable and Gallant. In proposing a member for Speaker, who had previously held the office, the proposer would speak of him as the Right Honorable.

The motion for the election of the Speaker is then seconded; and on being carried, the member elected announces his willingness to accept office, is conducted to the Chair, and returns thanks to the House for his election. If two members are proposed for the Speakership, a debate and a division may take place before election. Of late years, however, there has not been a contest for the Speakership, and the election usually occupies but a brief period of the day set apart for the preliminaries attending the opening of a new Parliament. Up to this time, that is, until the Speaker is elected and takes the chair, the Mace has not been in view. As soon, however, as the election is over, the Mace is brought forward by the Sergeant-at-Arms, who acts as its custodian. It is placed on the table, and is kept there during the time the Speaker is in the chair. The Mace is removed when the House goes into Committee of Supply, — that is, to vote money for the public charges and services, — and also when the House goes into committee on a bill or a resolution.

The Mace is of wood, the head carved and gilt,

with a handle about four feet long. The use of it is almost as old as Parliament itself. Sir Erskine May is authority for the statement that the Mace now at Westminster has been there since the time of Charles II. It is used on all ceremonial occasions inside and outside the House of Commons at which the Speaker attends as the representative of the Commons. One of these is when he examines the standards of measurement which are lodged in the walls of Westminster Hall. This ceremony is performed about once in twenty years, and is duly recorded in the Journal of the House. Another occasion is when the House summons a person who has transgressed its laws, to its Bar, either for admonition or for sentence of fine or imprisonment. The Bar is then drawn across the entrance to the House; the Sergeant-at-Arms removes the Mace from the Table, and stands with it on his shoulder at the Bar, while the Speaker from the Chair delivers the admonition or passes the sentence.

On the day following his election the Speaker, accompanied by such members of the House of Commons as are interested in the ceremony and care to witness it, attends in the House of Lords, where the Royal Commissioners, who on the previous day performed the ceremony of opening Parliament, again attend to receive him, and convey to the House of Commons the Sovereign's approval of their choice of Speaker. At this ceremony in the House of Lords the Speaker, for himself and for the House of Commons, formally "lays claim to their ancient

and undisputed rights and privileges," and "especially to freedom from arrest and molestation for their persons and servants; to freedom of speech in debate, and to free access to Her Majesty, whenever occasion may require it; and that the most favorable construction may be put on all their proceedings." On his return to the Commons the Speaker reports that the House has been in the House of Peers, "where Her Majesty was pleased by her Commissioners to approve of the choice the House had made of him to be their Speaker, and that he had in their name and on their behalf, by humble petition to Her Majesty, laid claim to all their ancient rights and privileges, which Her Majesty had confirmed to them in as full and ample manner as they have been heretofore granted or allowed by Her Majesty or any of her royal predecessors."

After this ceremony the process of swearing in members begins, and the Speaker "puts the House in mind that their first duty is to take and subscribe the oath by law required." Every member must take an oath, or make a declaration or affirmation, that he will be faithful and bear true allegiance to Her Majesty, Queen Victoria, her heirs and successors according to law. "I do swear," reads the oath, "that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, and I do faithfully promise to maintain and support the succession to the Crown, as the same stands limited and settled by virtue of the Act, passed in the reign of King William III., entitled 'An Act for the further Limitation

of the Crown, and Better Securing the Rights and Liberties of the Subject, and of the subsequent Acts of Union with Scotland and Ireland.' So help me God."

The Speaker is the first member to take the oath, and usually goes through the ceremony standing upon the upper step of the Chair. The other members take the oath standing at the table, and are sworn in groups. On the occasion of the meeting of a new Parliament, several days are exclusively occupied with the business of swearing in members. When this is complete, the House immediately turns to other and much less formal and ceremonial work.

Assuming, for the sake of illustration, that the Conservatives were in office at the time of the dissolution, and that they were defeated at the General Election, it is open to the members of the Cabinet either to resign before Parliament meets, or to wait until they are defeated in the House of Commons on a vote of confidence. If they accept the alternative of meeting Parliament, a vote of want of confidence will be proposed from the Opposition side of the House—by a member of the party which has been victorious at the polls; and the division, which is taken upon it, will put on record, in an official way as it were, the relative strength of the two parties in the House of Commons. The House of Lords has nothing to do with turning a ministry out of office. This is a matter settled by the House of Commons, whether at the commencement of a new Parliament or during the lifetime of a Parliament. After the

Government have been defeated on a vote of want of confidence in a new House of Commons, a recess is usually taken, during which the members of the old Administration attend upon the Sovereign to resign the seals of office, and the new Administration is formed.

After the late ministers have resigned, the Sovereign usually sends for the leading member of the political party which has brought about the defeat of the late Government in the House of Commons. It matters little whether this leader is in the House of Lords or in the House of Commons. In 1886, for example, when Mr. Gladstone's Government was defeated on the Home Rule Bill, at the General Election, Lord Salisbury was sent for by the Queen. In 1892, when Lord Salisbury's party was defeated at the General Election, and later on in the House of Commons, Mr. Gladstone was sent for by the Queen.

The leader so summoned is then intrusted with the task of forming a new Administration. If he accepts, he becomes Premier. He alone is the direct choice of the Sovereign, and with him rests the privilege of choosing his colleagues of the Cabinet and the Ministry, subject to the approval of the Sovereign in each case. The Cabinet consists of the supreme advisers of the Crown. The Ministry includes these advisers, and also those members of the Administration who, while they hold office as members of the Government, are not of this inner circle or Cabinet. In his volume on "Central Government," Mr. H. D.

Traill describes the Cabinet as consisting of "members of the legislature, of the same political views, and chosen from the party possessing the majority in the House of Commons; prosecuting a concerted policy under a common responsibility, to be signified by collective resignation in the event of Parliamentary censure, and acknowledging a common subordination to one chief minister."

The Prime Minister usually holds the office of First Lord of the Treasury in addition to that of Prime Minister. To each office is attached a salary of £5,000 a year. At the Treasury, however, the duties of the First Lord are little more than nominal; all the important work of the Department, falling to the lot of its political as distinct from its permanent heads, being undertaken by the Chancellor of the Exchequer and the Parliamentary colleagues who are associated with him at the Treasury. Occasionally the Prime Minister holds another Cabinet appointment as well as that of First Lord of the Treasury; but in this case he holds the office of First Lord of Treasury in conjunction with a colleague. The Marquis of Salisbury, for instance, in his second Administration, that from 1886–92, was Principal Secretary for Foreign Affairs from 1887 to the close of his Administration. Prior to that time, from August, 1886, to June, 1887, the Marquis of Salisbury alone held the office of First Lord of the Treasury in addition to that of Prime Minister. On the death of Lord Iddesleigh, Lord Salisbury took the office of Secretary for Foreign Affairs; and for the re-

mainder of the Parliament, the office of First Lord of the Treasury was held successively by the late Mr. W. H. Smith and Mr. A. J. Balfour. Both Mr. Smith and Mr. Balfour held the office of First Lord in conjunction with that of Leader of the House of Commons. The office of Leader of the House has no place in the list of members of the Administration; it is always held by a member of the Cabinet, and frequently by the First Lord of the Treasury.

When the Prime Minister is of the House of Commons, he always acts as Leader of the House. A Prime Minister who is in the Commons seldom holds any office to which any large amount of Departmental work attaches. He is fully occupied with matters of general administration — an oversight of all Departments — and with the arrangement of the business which is before Parliament. The Prime Minister is in constant communication with the Queen. He attends the Councils at Windsor and Osborne; and when Parliament is in session he usually writes a letter to the Queen, which is despatched at the close of each sitting, reporting to Her Majesty what has transpired in the House.

The offices whose holders are of the Cabinet are not always exactly the same under each Government; but Mr. Gladstone's 1892 Cabinet may be cited as typical. The offices represented in this Cabinet were: —

1. Prime Minister, First Lord of the Treasury, and Lord Privy Seal. (All these offices were held by Mr. Gladstone.)

2. Lord Chancellor.
3. Secretary for India, and Lord President of the Council. (These two offices are not usually held by the same Minister.)
4. Chancellor of the Exchequer.
5. Home Secretary.
6. Secretary for Foreign Affairs.
7. Secretary for War.
8. Secretary for Scotland.
9. First Lord of the Admiralty.
10. Chief Secretary for Ireland.
11. Postmaster-General.
12. President of the Board of Trade.
13. President of the Local Government Board.
14. Vice-President of the Council.
15. First Commissioner of Works.
16. President of the Board of Agriculture.

The Ministry included in addition :—

1. Lord-Lieutenant of Ireland.
2. Lord Chancellor of Ireland.

3, 4, 5. Junior Lords of the Treasury.

6. Financial Secretary to the Treasury.
7. Patronage Secretary to the Treasury.
8. Under-Secretary for the Home Department.
9. Under-Secretary for Foreign Affairs.
10. Under-Secretary for the Colonies.
11. Under-Secretary for India.
12. Parliamentary Secretary of the Board of Trade.
13. Parliamentary Secretary of the Local Government Board.
14. Attorney-General.
15. Solicitor-General.
16. Lord Advocate.
17. Solicitor-General for Scotland.
18. Attorney-General for Ireland.
19. Solicitor-General for Ireland.

20. Vice-Chamberlain of the Household.
21. Comptroller of the Household.
22. Secretary to the Admiralty.
23. Under-Secretary for War.
24. Financial Secretary to the War Office.
25. Lord Chamberlain.

These are the only salaried appointments in the gift of the Premier on taking office.

Acceptance of office, in the Cabinet or in the Ministry, by a member of the House of Commons, except in the case of under-secretaries of Departments, involves a new election, in accordance with the rule that a member of Parliament accepting office under the Crown must at once submit himself to his constituents. When Parliament has adjourned, the writs for the new elections rendered necessary by the formation of the Administration are issued by the Speaker, and as soon as they are out, the elections take place. Thus it may happen that a member of the House of Commons is compelled to go to his constituents twice in the course of six weeks or two months. At one time opposition to the re-election of a member who had been assigned a seat in the Cabinet, or appointed to an important office outside the Cabinet, was the exception; but of late years the practice of allowing these elections to go uncontested has broken down.

Not until the Administration is formed, and the members have been to their constituents for re-election, does the real work of Parliament begin. Then at the first meeting of the Commons the parties

change benches in the House. The members of the Administration and their following — that is, the party which constitutes the majority in the House — sit on the benches to the right of the Speaker's chair, while the members of the Opposition — the minority — sit on the benches to the Speaker's left. The first bench to the Speaker's right, known as the Treasury Bench, is occupied by the members of the Ministry, while the corresponding bench on the other side of the table and to the Speaker's left is occupied by the members of the late Administration; so that the parties face each other, and, as concerns the leaders, sit with only the Clerk's table between them.

Although there are 670 members of the House of Commons, the Chamber in which the Commons meet affords seating accommodation for only 430; and of this number 124 seats are not on the floor of the House, but in the galleries which run along the two sides. Of the galleries running across the two ends of the Chamber, the larger is devoted to the use of visitors; the smaller one, immediately behind the Speaker's chair, contains the boxes of the newspaper reporters. The Ladies' Gallery is immediately behind that occupied by the journalists, cut off from the House by a grille. The Commons have met in their present chamber since 1852. Until 1834 they met in St. Stephen's Chapel, the site of which is now occupied by St. Stephen's Hall. In 1834 St. Stephen's Chapel was destroyed by fire, and between that time and 1852 the Commons met

in a temporary chamber built inside the famous hall at Westminster.

A Parliamentary session commences when, after a General Election, the new Ministers meet Parliament for the first time. The session is opened with a speech from the Throne, in which the Government announce their legislative programme. This is a much more ceremonial occasion than when the House of Commons meets immediately following a General Election. On the first day of a new session the members of the House of Commons usually assemble in their chamber at two o'clock in the afternoon. The Speaker then takes the Chair, and immediately afterwards Black Rod is announced. He is a messenger from the House of Lords, and comes on this occasion with a summons to members of the Lower House to attend in the House of Lords to hear the Royal Speech read from the Throne. Sometimes the Queen is present at this ceremony; but as a rule, Parliament is opened by Lords Commissioners acting for the Queen.

Black Rod proceeds in state from the Chamber of the Lords to that of the Commons. His progress along the corridor and across the Hall of St. Stephen's is heralded by the ushers who attend him. As soon as it is known that he is approaching the Chamber of the Commons, the door is locked, and the Sergeant-at-Arms takes up his position on the inner side of it. Black Rod knocks at the door; the Sergeant-at-Arms looks through the sliding peep-hole in the great oaken-door cutting off the Chamber from the

Lobby, and on seeing Black Rod, turns and reports his presence to the Speaker. The Speaker signifies that the House is willing to receive the messenger from the Lords, and then the door is opened, and Black Rod slowly makes his way up the central aisle to the table in front of the Chair, bowing, as he proceeds, to the Speaker. Standing in front of the table, he delivers his message; the Speaker reports it to the House, and then invites members to attend him to the House of Lords to hear the reading of the Queen's Speech. The Sergeant-at-Arms, who, like Black Rod, wears knee breeches and a sword, goes in front of the Speaker with the Mace, and as the little procession of Sergeant-at-Arms, Speaker and members goes on its way through the Lobby and St. Stephen's Hall, the ushers cry out, "Make way for the Speaker;" and members and visitors who are in the Hall, form into lines through which the Speaker and his attendants pass to and from the House of Lords.

In the Upper Chamber the Speaker and the members of the Commons who have chosen to accompany him group themselves around the bar, and, standing there, listen to the Speech from the Throne as it is read by the Lord Chancellor. The Speech is not drawn up by the Queen, but by the Prime Minister with the aid of the Cabinet, and is little more than a statement of the measures which the Government would like to pass in the session then commencing. It invariably contains a much longer programme than it is possible for Parliament to pass in one session,

and some measures appear again and again in the Queen's Speech before they are embodied in Acts of Parliament and become law. The mention of a measure in the Speech from the Throne is in no sense a guaranty that it will ever be carried.

The Speaker and his procession return to the House of Commons immediately after the reading of the Queen's Speech; and then, following an ancient custom, a bill is read a first time *pro formâ*. This is done to preserve the right of the Commons to attend to their own business first before they proceed to deal with the Speech from the Throne. With this formality the session, so far as the House of Commons is concerned, commences; and the Speaker next reports that "he has been to the Lords, where he heard the Lord Chancellor deliver Her Majesty's most gracious Speech to both Houses of Parliament, in pursuance of Her Majesty's commands." Following this report, the Speaker reads the Speech to the House, after having announced that "for greater accuracy he had obtained a copy thereof." Then begins what is known as the Debate on the Address to the Crown, a proceeding which may extend over two or three weeks.

The debate arises on a motion for an Address to the Crown thanking the sovereign for the Speech which has been read from the Throne. The motion is moved and seconded by members on the Government benches; and it has come to be the rule or etiquette of the House that the motion shall be made by a borough member, and seconded by a

representative of a county division. Both the mover and seconder of the Address appear in uniform. If they are of the services, — the army, the navy, the volunteers, or the yeomanry, — they appear in the uniform of the service to which they belong. If they are not entitled to wear a military or a naval uniform, they appear in the Windsor uniform, brown cloth with gold trimming, which may be worn by all members of the House of Commons on state ceremonial occasions.

Almost any subject can be debated on the Address to the Crown. When the Opposition desire to challenge the policy of the Government, the terms of the challenge or indictment are embodied in a resolution and proposed as an amendment to the Address. The amendment is discussed and the House divided upon it. Were an amendment of this kind carried, it would practically amount to a vote of want of confidence in the Government, and might bring about its downfall. Several amendments are often proposed to the Address to the Crown at the opening of Parliament; for at this time almost every member with a grievance or a hobby has his opportunity. After all the amendments have been discussed and voted upon, the House finally votes on the Address to the Crown. Both parties whip up their members for the series of divisions which take place during the debate on the Address, and the measure of strength shown by the Government in the more critical of these divisions indicates the measure of support which the Government may hope to have during

the session. Until the Address to the Crown has been voted, no attempt can be made to deal with any of the measures outlined in the Queen's Speech.

Ordinarily the House of Commons meets at three o'clock on Mondays, Tuesdays, Thursdays, and Fridays; and except when engaged on business exempted from the closing rule, the sitting comes to an end at an hour after midnight, unless the House had been previously adjourned. On Wednesdays the House holds a morning sitting, which commences at noon and comes to an end at six o'clock. Sittings are usually held on Saturdays only towards the end of the session, when business is much in arrears. The Saturday sitting, like that on Wednesdays, is from noon until six o'clock.

Prayers are read each day by the Speaker's Chaplain, a clergyman of the Church of England, before business is begun; and until after prayers all strangers, including the reporters in the press gallery, are excluded from the House. A member who has not a place on either the Treasury or the Front Opposition Bench, or one assigned to him by courtesy in some other part of the House, must be in attendance at prayers, if he desires to affix his name to a seat and secure it for the sitting. No member's name may be so affixed to a seat before prayers; but a member who remains within the precincts of the House may, by placing his hat upon a seat, indicate his intention to acquire a right to such a seat by a subsequent attendance at prayers. "Without presence at prayers, or service on a select

committee," reads the rule of the Commons applying to this matter, "a member cannot retain a seat. By courtesy, however, a seat is usually reserved for a member who has left thereon a book, hat, or glove."

Hats and gloves are the only articles of attire to which there is any reference in the Standing Orders. Hats are worn both in the House of Commons and in the House of Lords when business is proceeding. In the House of Commons, however, custom decrees that a member may not wear his hat on entering or leaving the House, when standing at the Bar, or when conversing with another member inside the Chamber. By the Standing Orders, a member removes his hat when he addresses the House. If, however, a member desires to address the Chair on a point of order in the interval between a division being called and the tellers appointed, he must do so without rising from his seat and with his hat on. At other times no member is compelled to wear his hat.

A considerable amount of what may be described as preliminary business has to be disposed of before the House reaches the "Orders of the Day" — that is, before it is ready to proceed with the bill or other matter which the House has ordered to be taken into consideration on this particular day. The preliminaries come in this order: —

1. Private Business.
2. Public Petitions.
3. Unopposed Motions for Returns.
4. Motions for Leave of Absence.

5. Giving Notices of Motions.
6. Questions, and
7. Motions at the Commencement of Public Business.

Private business includes bills to authorize municipal corporations, railways, and other companies to undertake works requiring the sanction of Parliament. These measures are read a first and a second time in the House, then referred to a small committee, and afterwards read a third time and passed through the remaining stages like an ordinary Government measure.

Petitions are the instrument or means by which the electors directly address Parliament, and are usually presented in favor of, or in opposition to, some measure which is pending before Parliament. They are ordinarily addressed "to the Honorable, the Commons of the United Kingdom in Parliament assembled," and in accordance with the traditions of the House, are couched in almost stereotyped language, which is exceedingly respectful, and a little quaint in its character. Sometimes these petitions are presented merely with an intimation of their prayer, by the member, whom the electors concerned have asked to undertake this duty. At other times, by request of the member presenting the petition, it is read in full by the Clerk at the table. Petitions forwarded to members for presentation to Parliament are about the only communications which can be sent free of postage. No speeches can be made in presenting petitions. After petitions have been deposited upon the table, they are dropped into

a bag, and afterwards examined by a committee which periodically makes a report to the House in regard to all petitions which are presented to it. Years ago petitions to Parliament were regarded as of value; but the order of things has changed of recent years, and it is open to doubt whether much real good is gained by this old-fashioned method of addressing the House.

Leave of absence is given to a member on account of his own illness, or the illness or death of a near relation, or of urgent business, or for other sufficient cause, which must be stated to the House when the motion for leave is made. While he has leave of absence a member is excused from serving in the House, or on a committee. A member is not supposed to absent himself from Westminster without this formal permission of the House; but only in comparatively few cases is this permission sought. A member who desires to remain away for a time seeks out another member of the opposite party who also desires to be liberated for awhile. Together they constitute a pair; that is, they come to a mutual understanding that during the interval agreed upon neither of them will vote in any of the divisions which may be taken in the House. A pair is unknown in the written rules of Parliamentary procedure; but it figures largely in the arrangements of the party whips.

Notices of motion are the intimations given by members of their intention to bring matters before the House at a later date.

Questions are the most interesting of the preliminaries which intervene between prayers and the Orders of the Day. They are put to Ministers relative to public affairs, with which the Ministers addressed are officially connected; relative to proceedings pending in Parliament; or any matter of administration for which the Minister is responsible. Questions may also be put to other members relating to a bill, motion, or other public matter connected with the business of the House, with which such members are concerned. The rules of the House stipulate, however, that "a question may not contain statements of argument, inference or opinion, imputations, ironical expressions, and hypothetical cases; nor may a question refer to debates, or answers to questions in the same session." "A question cannot be placed on the notice paper," continues the rule, "which publishes the names of persons or statements, not strictly necessary to render the question intelligible, or containing charges which the member who asks the question is not prepared to substantiate."

The questions asked by members in accordance with the conditions which have been quoted are printed on the order paper, and the member putting a question is called upon by the Speaker according to the position his question occupies on the list. He stands in his place and addresses his question to the Minister concerned, who usually reads his answer from memoranda prepared by officials in his Department. Sometimes as many as sixty or

seventy questions are on the order paper for one day. It is on record that in the sessions between 1883 and 1892, 38,609 questions were thus asked in the House of Commons; while for the session of 1888, a session made memorable by the Local Government Act for the Counties, and the Act appointing the Parnell Commission, the number was 5,549.

A visitor to the House of Commons should not miss question time. It is often the most interesting part of the sitting. If he has obtained a copy of the Orders of the Day, he will be able at question time to identify many of the members on both sides of the House, as well as the heads of the great State Departments. In every Parliament there are a large number of members of the House of Commons whose voices are never heard in the House except at question time. Questions are asked and answered in the House of Lords, but not to anything like the same extent as in the House of Commons.

"Motions at the Commencement of Public Business" include motions of two different kinds: (1) motions for adjournment in order to call attention to and discuss definite matters of urgent public importance; and (2) motions relating to the conduct of the business of the House. In regard to motions in the first class, they are not made with any great frequency, and only in cases of urgent importance. If, for instance, the police in any city have unduly interfered in a strike or put themselves into sharp antagonism with the strikers, and their action is likely to provoke disorder, it is open to any member

of the House of Commons to discuss their conduct at once. To this end he lodges with the Speaker a written statement of the subject to be discussed; and as soon as questions are over, he rises in his place and states that he desires leave to move the adjournment of the House for the purpose of discussing "a definite matter of urgent public importance," and explains the matter in brief. The Speaker then desires those members who support the motion for adjournment to rise in their places; and if forty members support it, the Speaker immediately calls upon the member to proceed with his speech and motion. If less than forty members, and not less than ten, have risen in support, the member may, if he thinks fit, claim a division upon the question as to whether the adjournment shall be moved. Some of these motions for adjournment thus brought about engage the House for several hours.

The motions in the second class usually have reference to the disposition of the time of the House, and are made by its leader, or by a Minister acting in his behalf. Thus if all the time of the House is desired by the Government for a particular bill, a motion to this effect will be made by the leader, and may be discussed and divided upon in the usual manner. The application of the closure at a fixed time in the discussion of a bill would also be proposed, debated, and voted upon at this stage of the day's proceedings.

The introduction of new members is also one of the preliminaries which intervene between prayers and the Orders of the Day, and takes place immedi-

ately after questions. Up to this point in the day's proceedings the new member, with the two members who are to introduce him, have been standing in waiting at the Bar of the House. The rule in regard to this ceremonial dates back for more than two centuries, to the 23d of February, 1688, and requires that new members returned after a General Election shall be "introduced to the table between two members, making their obeisances as they go up (that is from the Bar to the table), that they may be the better known to the House." When the member so introduced has been returned at a hotly contested by-election, he is always cheered by his political friends, as he makes his way from the Bar to the table. If the last holder of the seat was a Liberal and the new comer to the House is a Conservative, the cheering from the Conservative benches is vehement and long continued, and *vice versa* if the seat has been captured by the Liberals. On the occasion of triumphs of this kind much heartiness and enthusiasm are infused into the demonstration of welcome. After the new member has taken the oath of allegiance to the Throne, he passes between the Treasury Bench and the table, to the right hand side of the Chair, shakes hands with the Speaker, and then passing behind the Chair takes his seat on the benches occupied by the members with whom he intends in future to act and vote.

These preliminaries bring the House to the Orders of the Day, which may mean either a discussion on the first, second, or third reading of a bill, proceed-

ings in committee on a bill, or proceedings in Committee of Supply, into which the House of Commons resolves itself when it is voting money for the public charges and services.

The stages of a legislative measure, which is going through Parliament, are almost exactly the same in both the House of Commons and the House of Lords. About the only difference is at the initial stage. Any bill which can originate in the House of Lords may be introduced and laid upon the table by an individual peer without the previous permission of the House; while in the House of Commons no bill can be brought in unless a motion for leave be previously agreed to. As, however, all important Government bills originate in the House of Commons, and go thence to the House of Lords, it may be best to follow in detail the procedure in the House of Commons.

First of all, the member introducing the bill obtains permission of the House to do so. In the case of bills introduced by private members, and for which the Government is not responsible, this is little more than a formal proceeding. In the case of a great constitutional measure, such, for example, as the Home Rule bill, or a bill like the Local Government Act of 1888, the Minister introducing the measure, when he is seeking permission for its introduction, gives the House a full statement of its aim and scope, and an outline of its principal clauses. It is possible for the House to refuse its permission for the introduction of a bill; but this is seldom done.

Only once during the twenty-five years preceding 1893 has the House of Commons been divided on a motion for leave to bring in a bill. This division occurred on the measure for suspending the creation of new vested interests in the English Church in Wales, a measure intended to pave the way for Welsh disestablishment. Nor is a measure seriously discussed at this stage. The speech-making which follows the statement of the Minister introducing the bill, is usually of a complimentary rather than of a critical character.

As soon as the House has signified its willingness that the bill shall be introduced, the Minister responsible for it leaves his place on the Treasury bench, goes to the Bar of the House, then walks back to the table and hands to the clerk a copy of the bill, or more frequently a document setting out the title and scope of the measure, which is known as a dummy bill. There is seldom a discussion at this stage. The House reads the bill a first time, orders that it be printed, and the member introducing it announces on what day it is proposed to read it a second time.

The fate of a measure is decided on the second reading. At this stage the Minister in charge of it moves that it be read a second time. If he has made a long speech at the first reading stage, and he feels that he has nothing more to add, he rises in his place and formally moves the second reading. The struggle on the measure then commences. If the bill is a highly contentious one, and one to which the members in Opposition are generally hostile, the leader

of the hostile forces will move as an amendment to the motion made by the Minister that the bill be read a second time "this day six months." This is tantamount to moving its rejection; and the mover of the amendment will follow with the reasons why, in his opinion, the bill should not be further proceeded with. Another member who holds the same opinion will second the amendment; and, until the division is taken, the discussion is waged on the motions, or rather the motion and the amendment, which are before the House. A member can speak only once in a discussion; but even with this restriction the discussion on the second reading of a bill of first importance will sometimes extend over two weeks. The more important speakers, — the members who are of the Administration, and those who sit on the Front Opposition Bench, — usually make their appearance in the debate between half-past four in the afternoon and half-past seven in the evening, and again after the dinner hour between half-past nine and midnight, when the debate stands adjourned until the following day, or some other day in accordance with the arrangement made by the leader of the House.

It is a tradition of the House of Commons that the member who catches the Speaker's eye is called upon to address the House. To a certain extent, and upon some occasions, the House acts up to this tradition; but when a debate of first importance is in progress, the whips and the Speaker arrange the order of procedure.

The whips are the officers of the several political parties who are charged with the duties of mustering members for divisions. The chief Government whip holds the office of Patronage Secretary to the Treasury; his assistants are usually Junior Lords of the Treasury. The Opposition whips are without office, but have rooms assigned them by the Government in the House of Commons for the discharge of their duties. In the days when there were only two parties in Parliament, Liberal and Tory, there were only two sets of whips; but from 1880, when the Irish Nationalists became a separate party, they have had whips of their own; and now as new groups form in the House of Commons each group appoints its whips.

The whips are aware that this member of the Administration desires to reply in the course of the debate to that member of the Opposition, and this knowledge is communicated to the Speaker, who generally contrives to call on the members in something like the order in which they themselves desire to address the House. The less important speakers, the new and the young members, get their opportunities at the dinner hour. The attendance in the House thins between half-past seven and half-past nine, and often in this interval the House is attended by not more than fifty or sixty members. The Speaker is seldom absent for longer than half an hour, and so long as he is in the chair the debate goes on. Between nine and ten o'clock the House fills up again, and between ten and twelve on the

field nights it is at its liveliest. At this time, on the evening of the division, the Minister in charge of the bill usually makes his speech in reply, and the division follows. A division and its preliminaries in a full House occupies from fifteen to twenty minutes.

After the last speech in the debate has been made, the Speaker puts the question to the House. A question being put is resolved in the affirmative or the negative by the majority of voices, "Aye," or "No." The Speaker next states whether in his opinion the ayes or the noes "have it;" and unless his opinion so declared be acquiesced in by the minority, the question is determined by a division. When the Speaker's opinion has not been acquiesced in by the minority, the clerk turns over a two minute sand-glass which always stands in front of him on the table. After the lapse of two minutes, as indicated by the sand-glass, the Sergeant-at-Arms, on the direction of the Speaker, locks the outer door of the Chamber, so that a member can neither enter nor leave the House until after the division. When the outer doors have been locked and the members are in their seats or standing at the Bar, as is the custom at these times, the Speaker states the question a second time; and, after the voices have been given, he declares whether in his opinion the ayes or the noes have it.

No member is entitled to vote in any division unless he is present in the House when the question is thus put, and every member so present must give his vote. If after the second putting of the question, the Speaker's opinion is again challenged, he directs

the Ayes to go into the right lobby and the Noes into the left lobby, and appoints two tellers for the Ayes and two for the Noes. The tellers are always members of the House. As the members pass through the lobbies, the division clerks take down their names and they are counted by the tellers as they return to the House. When all the members are again in their places, the four tellers advance to the table and there report the numbers to the Speaker, who declares them to the House. In the case of an equality of votes the Speaker gives the casting vote, "usually," reads the rule dealing with this matter "in such a manner as not to make the decision of the House final." The reasons for his vote, if stated by the Speaker, are entered in the Journal of the House.

The division on the second reading of a bill settles its principle. The next stage is in committee. There is, however, an intermediate stage which is sometimes of importance. When the motion is made that the House go into committee, it is possible to move an instruction to the committee, the object of which "is to effect such an extension of the scope of the order of reference as will further the general purpose and intention of the House in the appointment of the committee." The contents of the bill, as read a second time, form the order of reference; and an instruction "must not be irrelevant or contradictory to that order, nor seek to subvert its object by substituting another scheme for the mode of operation therein described." Occasionally on an

important measure one or two sittings of the House are occupied in debating proposed instructions which are divided upon like any other motion or resolution.

While the debate on the proposed instructions is going on the Speaker is still in the chair. As soon as the instructions are disposed of, and the motion carried that the House go into committee, the Speaker leaves the chair, the Sergeant-at-Arms removes the Mace from the table, and the Chairman of Committees, who, like the Speaker, is a paid official, chosen from among the members of the House, and the holder of a strictly non-partisan office, undertakes the duties of presiding.

Much less power is invested in the Chairman of Committees than in the Speaker. He does not wear a robe and a wig, or any other distinctive dress, nor does he sit in the Chair. The Chair is vacant while the House is in committee, as the Chairman's place is at the table immediately to the right of the clerk of the House. At other times, when the Speaker is in the Chair, the Chairman sits with the political group with which he is associated, and speaks and votes in the same way as any other member. The Speaker, on the other hand, takes no part in the proceedings of the House except as the occupant of the Chair.

Proceedings in committee are much less formal than in the House. On the second reading of a bill, or in any other debate when the Speaker is in the Chair, a member can address the House only once. In committee, whether Committee of Supply or

Committee of the Whole House on a bill, a member may speak as often as he pleases. There is little attempt at oratory in committee; often the discussions come down to the level of conversation. This is especially so with bills of a non-contentious character, which both parties are sincerely determined to make as good and as useful as possible as a result of the committee stage.

With the exception of the number of times a member may speak, the rules of debate are the same in committee as in the House. The debates or the provisions of bills in the House of Lords, — "the other House of Parliament," as the House of Peers is always denominated by members of the House of Commons, — may not be reflected upon; nor may the name of the Sovereign be introduced for the purpose of influencing the House in its deliberations. No member may use offensive words against either House of Parliament, nor against any statute, unless for the purpose of moving the repeal of the statute to which the words apply. It is also against the rules of the House for a member to speak of another member by name. A member is always known in the House by the name of his constituency. When a member is irrelevant in his speech, and, after a caution from the Chair, persists in irrelevance or tedious repetition, the Speaker or the Chairman of Committees may direct him to discontinue his speech.

When a member objects to words used by another member in debate, and desires to have them withdrawn, he moves that they be taken down at the

table, and to this end "repeats the words to which he objects immediately after they have been uttered, stating them exactly as he conceives them to have been spoken." Then the Speaker, after ascertaining that the sense of the House is in accord with the demand, directs the Clerk to take down the words. In committee the objectionable words taken down have to be at once reported to the House; and to facilitate this the Chairman vacates his place at the table, and the Speaker resumes the Chair. A member who has thus used objectionable words has either to explain or retract them, or offer an apology. If he declines to do so, he may be suspended. In this case his suspension is moved by the leader of the House, and seconded by the leader of the Opposition. The motion is immediately voted upon without debate. For a first offence a member may be suspended for a week; for a second in the same session, for a fortnight; and for a third, the suspension is for one month. A member so suspended must at once withdraw from the chamber. He may, however, go into the Strangers' Gallery; and his suspension does not exempt him from service on a committee on a private bill.

The closure is applicable in the proceedings both in the House and in Committee. A motion for its adoption may be made by any member with the assent of the Chair, and is decided in the affirmative if, when a division is taken, not less than one hundred members vote in the majority in support of the motion. The closure rules date from 1882, and were

adopted with a view to checking the obstructive tactics of the Irish Nationalist members, who a year or two earlier had begun to act as an independent party. In the rules adopted in 1882 the responsibility of the initiative rested with the Speaker, and so remained until the present plan was adopted in 1888.

In the case of a Government measure, when it is determined that the matter has been adequately discussed, and it is decided to close the discussion within a given time, a motion to this effect has to be carried in the House. It is usually proposed by the leader of the House at the commencement of business. On a resolution of this kind, the House divides as upon any other resolution.

A bill consists of preamble, clauses, and schedules. All Government bills are drawn up by Parliamentary draughtsmen. These are barristers of high standing, and are permanent civil servants, each being an expert in some department of law. Their duties are to draw up the bill on the lines indicated by the Minister in charge of it, and in such a manner as not to clash with any previous legislation.

At committee stage a bill is taken clause by clause, sometimes line by line. Amendments are moved and discussed, and, if need be, divided upon in the same manner as divisions are taken on the earlier stages of a bill. When a clause has been agreed upon, the committee adopts a motion of which the formula is "that the clause stand part of the bill." When amendments have been made to the clause, the formula is "that the clause as amended stand

part of the bill." In the case of a contentious measure, wrangles and critical divisions mark the progress through committee. Weeks, sometimes months, of the time of the House have to be given up to this stage; and there is no greater or more effective test of a Parliamentarian than the piloting of a great bill through committee. Oratory in the early stages of a bill, while not without its influence and value in the country, has but little effect on votes in the House of Commons; but tact and discretion, good humor and a conciliatory mode of address on the part of the Minister responsible for the bill, count for much in committee, and often help a measure over difficult and dangerous places.

Generally in the case of an important measure, and one in respect of which the committee stage is likely to be protracted, at the outset the Government carries a resolution giving it all the time of the House while the measure is under consideration, and then the committee stage of the measure continues day by day. Work in committee is usually commenced immediately after questions, and goes on until midnight, when progress is reported. This is equivalent to a motion suspending work on the bill until another day. When the motion has been made, the Speaker is recalled to the Chair, the remaining orders of the day, if they are non-contentious, are quickly carried, and the House adjourns between twelve and one o'clock. Only on special occasions does it sit beyond one o'clock. Next day work in committee is resumed. When all the clauses have been adopted,

and the preamble and the schedules agreed to, the bill as a whole is reported to the House for third reading.

If amendments have been made in Committee, the bill as amended may be considered on report stage. In this case new clauses are first offered, and then amendments are proposed to the several clauses of the bill. On consideration of the bill as amended, the whole or any portion may be referred back to Committee. A bill reported from Committee without amendments is read a third time forthwith. The Speaker is in the Chair during report stage and when the third reading is taken. Only verbal amendments can be made on third reading, and the judgment of the House is then expressed upon the bill as it finally stands.

After a bill has thus passed these five stages, first reading, second reading, committee, report, and third reading, the Clerk of the House of Commons is directed to carry it to the House of Lords, and "desire their concurrence." In the case of a bill which has originated in the House of Lords, and then passed its several stages in the Commons, the Clerk of the House of Commons is directed "to carry the bill to the Lords and acquaint them that the House hath agreed to the same without amendment." When amendments have been made, the Clerk is ordered to acquaint the House of Lords "that this House hath agreed to the same with amendments, to which amendments this House doth desire the concurrence of their Lordships."

The last stage of a measure is that at which it receives the Royal Assent. Assent is usually given by Royal Commission; and on these occasions, as at the opening of a new Parliament or at the commencement of a new session, Black Rod, the officer of the Lords, summons the Commons to the Chamber of the Lords to hear the Royal Assent formally given. The Speaker responds to this summons, and with the Sergeant-at-Arms, and with a few members of the House, generally members of the Administration, attends at the Bar of the House of Lords for this final ceremony. On his return the Speaker reports his attendance in the House of Lords and the measure to which the Royal Assent has been given. Up to this point the measure has been written and spoken of as a bill. As soon as the Royal Assent has been given, it is known as an Act of Parliament.

Each Act is numbered by the number of the year of the sovereign's reign at the time of its passing, and by a second number fixing the order in which it receives the Royal Assent. Thus in the session of 1892, held in the fifty-fifth and fifty-sixth years of the reign of Queen Victoria, the first Act to receive the Royal Assent was one transferring the site of Millbank Prison from the Prisons Department of the Home Office to the management of the Commissioner of Works — the Department having charge of Royal Palaces and Public Buildings. On the Statute Books this Act appears as the Fifty-Fifth and Fifty-sixth of Victoria, Chapter One, "An Act

to transfer the site of Millbank Prison to the Management of the Commissioner of Works." Sixty Acts were passed in that session. Each is described and numbered after the manner of that relating to the old prison at Millbank.

Votes of money for the public charges and services originate in the House of Commons. When these votes are under consideration the House goes into what is known as Committee of Supply. The Speaker then vacates the chair; and the Chairman of Ways and Means, whose office and duties were explained in describing the committee stage of a bill, acts as presiding officer.

It is the established usage of the House of Commons that the redress of grievances precedes the granting of money, and to some extent this usage is well maintained. In the ordinary course of things Supply is taken on Mondays, Thursdays, and Fridays. Mondays and Thursdays are set apart for Government business. Friday is ordinarily a private members' night; and when a motion is made on Friday that the House go into Committee of Supply, general subjects wholly unconnected with money votes may be discussed by way of amendment to the motion that "the Speaker do now leave the chair for the Committee of Supply." When the same motion is made on Monday or Thursday, amendments are in order; but they must be strictly relevant to the class of votes which are about to be taken in Committee of Supply. Thus if the Committee were about to take a vote for the Royal Palaces, it would be permissible for a member

to raise a discussion, for instance, as to the times at which the public are excluded from Hampton Court or Bushey Park; but he would be out of order if he attempted to raise a discussion on this vote as to the rate of wages and general treatment of laborers in the dockyard at Chatham. This matter would have to be raised when it was proposed that the House should go into Committee on the estimates for the naval services. On two of the three nights on which the House may go into committee to vote money for the public charges and services, the discussions prior to going into committee must be relevant to the votes about to be passed; on Friday, the third night, almost any subject may be discussed.

A member can discuss a question only when there is a quorum in the House. If after he has given notice of the motion he intends to propose, he cannot get forty members to come into the House and listen to him, the motion drops, the House is counted out, and the sitting comes to an end. A "count out" means that when the time arrived for the member who had the resolution on the paper to move it, there were less than forty members present, not sufficient therefore to make a House. These "counts out" happen every now and again in the early weeks of the Parliamentary session, and usually serve to show, in a practical way, that members have no interest in the question which it is proposed to discuss. The motions on which "counts out" take place always stand in the names of private members. The Government ordinarily take up a neutral attitude in

regard to these motions, and leave it to the members on the Government benches to please themselves as to whether they will attend. It is different on Mondays and Thursdays, for on these days the Government arrange the programme; they put down the votes which they are anxious to obtain, and the Government whips are always careful to see that there is a quorum on these occasions, and that the House is got into committee, and to the work of voting money, as soon as possible.

When Supply is being voted in the House of Commons for a Department, its representative takes charge of the votes in Committee, and answers the questions and criticisms which are raised upon them. Thus, when the votes for the Education Department are being obtained, the Vice-President for the Council for Education, who is always of the House of Commons, is in his place on the Treasury Bench to take charge of the votes. Usually on this occasion he makes his annual statement in regard to the policy and action of his Department; as also do the Secretary for War and the President of the Board of Trade, and the Parliamentary heads of any of the other spending Departments, when the votes for the respective Departments are discussed in Committee.

The estimates are prepared in the offices of the several Departments. The Parliamentary heads of the Departments and their permanent heads act in concert in this work with the Treasury; and the House of Commons neither as a whole nor through any of its committees has any voice in the matter of

the estimates until they are submitted to it in Committee of Supply.

To return to the votes for National Education, which have been taken as an illustration of procedure in Supply. When these are before the Committee, if a member of Parliament has a grievance to ventilate, or a complaint to make, he can do so by means of a motion to reduce the vote. If he holds that the policy of the Department is wrong in regard to any particular point, he will move, for instance, to reduce the vote for the salary of the Vice-President of the Council for Education when this item is reached on the estimates. Members who think with him will support his motion, while those who indorse the action of the Department will speak in opposition to the motion to reduce the vote. In the course of the discussion the Vice-President will offer an explanation or make a speech in defence of his policy. If this satisfies the member who opened the discussion and his friends who have supported him, the motion to reduce the vote will be withdrawn, and the Committee will pass the estimate and proceed to the next on the list. If, on the other hand, the member is not satisfied with the explanation or defence which has been tendered, he will divide the Committee on the motion to reduce the vote. These motions are seldom carried, as the Government keep their forces in reserve to help them through with such of the votes in Committee as are likely to give rise to contention. The reduction of a vote through such a motion would be tantamount to the defeat of the Government.

The duties of the Committee of Supply are clearly defined by the rules of the House. The Committee must either "grant, reduce, or refuse the supplies set forth in the estimates." A grant cannot be augmented, nor can its destination be altered, in Committee or by the House itself. A large proportion of the time of the House of Commons each session is occupied in voting Supply. Some of the most important ministerial statements are made in Committee of Supply. The votes passed in Committee are afterwards reported to the House, and when agreed upon by the House, furnish the authority on which the lords of the Treasury issue the money for carrying on the services of the country. At the end of each session all these resolutions in Committee of Supply are consolidated in the Appropriation bill, which, when passed by the House of Commons goes up to the House of Lords and receives the Royal Assent like any other bill which has been carried through Parliament. The Appropriation bill is usually the closing measure of the session. After it is passed, Parliament is prorogued.

In addition to Committee of Supply, there are other proceedings in the House of Commons relating to national finance. Early in April every session the Chancellor of the Exchequer makes his annual financial statement. This is known as the Budget, and includes a statement of the income and expenditure of the preceding twelve months, and an estimate of the receipts and expenditure for the year which is about to commence, together with proposals for the

increase or repeal of existing taxes or the imposition of new ones. The Speaker leaves the chair for this statement, which is made in Committee of Ways and Means; and it is in this Committee that resolutions are subsequently passed, levying the new taxes which have been indicated as necessary by the Chancellor of the Exchequer in his Budget speech.

So far, in describing the proceedings of the House of Commons, only Government bills and Government business, such as Supply, and resolutions in Committee of Ways and Means, have been dealt with. Occasionally bills are carried through Parliament by private members; that is, by members who are not of the ministry. A private member who has a bill which he desires to carry, obtains permission of the House for its introduction in the usual way, and then takes his chance in the ballot with his fellow-members who have introduced bills, for precedence at the morning sittings on Wednesdays, which in the earlier months of the session are given up to private bills.

If a member is successful in obtaining a Wednesday early in the session for the second reading of his bill, he whips up his friends with a view to getting it safely through this stage. Sometimes the Government give him their help, when members on the Treasury Bench speak in support of the bill. Sometimes they oppose his bill, or they may stand aloof and allow their supporters to vote as they please. If the second reading is carried, the member in charge of the bill must watch his oppor-

tunity for getting it through its remaining stages. From the outset the chances of carrying the measure are but small, especially if it is of a contentious character; and in the course of a session only a few of these private members' bills get through all their stages in the House of Commons, as well as those in the Lords, and receive the Royal Assent. A hundred or more of these private members' bills are introduced each session; the greater proportion of them never get beyond the first stage; a few pass second reading; and every now and again a really useful measure is added to the Statute Book as the result of the energy and persistent watchfulness of a private member.

Besides the Committees of the whole House,— Supply, Ways and Means, and Committee on a Bill,— the House deputes much of its work to Select Committees, Committees on Private Bills, and Standing Committees. Select Committees, which seldom number more than fifteen members, are chosen for some specific work, often of the nature of an inquiry with a view to legislation; while to the Committees on Private Bills are assigned the most important stages of the measures introduced and promoted by municipal corporations, railway companies, and other public concerns for empowering the carrying out of works for which the sanction of Parliament is required.

The procedure before the committees on Private Bills is somewhat similar to that in a civil court, only, instead of a judge and jury, the case for and against the measure is heard by the committee, which subse-

quently reports to the House. If the report is favorable, the bill goes to third reading, and thence to the House of Lords, where it is similarly dealt with by a committee of that House. At these inquiries by the Private Bill Committees of the two Houses, all the parties interested are represented by barristers, who appear in wig and gown as in the law courts; and the rules with regard to the examination and cross-examination of witnesses and the taking of oaths by witnesses, as well as with regard to the speeches by the various Parliamentary counsel, are almost the same as in the trial of a civil action.

With regard to Standing Committees, there are two of these. To one are assigned all bills relating to law and the courts of justice and legal procedure, and to the other all measures relating to trade, manufactures, shipping, fishing, and agriculture. Each of the Standing Committees must consist of not less than sixty and not more than eighty members. These Committees are appointed each session. The members are nominated by the Committee of Selection, "which," according to the resolutions of the House of Commons, creating the Standing Committees, "shall have regard to the classes of bills committed to such Committees, to the composition of the House, and to the qualifications of the members selected." The Committee also nominates a chairman's panel, "to consist of not less than four nor more than six members, of whom three shall be a quorum; and the chairman's panel shall appoint from among themselves the chairman of each Standing Committee."

The proceedings before the Committees on Private Bills and the Standing Committees are usually open to the public, and when of sufficient general interest are reported in the press.

Royal Commissions are frequently constituted to make inquiries and draw up recommendations with a view to legislation. They differ from Select Committees of either the House of Commons or the House of Lords, in that they are created by Act of Parliament, are composed of members and non-members of Parliament, and their existence is unaffected by a dissolution of Parliament.

The statutory life of a Parliament, as fixed by the Septennial Act of 1715, is seven years. It cannot last beyond that time. Few Parliaments, however, are continued to their statutory limit; and a political crisis, such as the defeat of the Government, may bring a Parliament to an end almost at any time.

Each session of Parliament is opened and closed with a Speech from the Throne. As at the opening of the session, the prorogation may be announced either by the Sovereign in person or by Royal Commission. Usually the prorogation is by Commission. In this case the Usher of the Black Rod proceeds to the House of Commons with a message that the Lords, authorized by virtue of Her Majesty's Commission, declaring Her Royal Assent to several Acts of Parliament agreed upon by both Houses, and for proroguing the present Parliament, "desire the immediate attendance of the House in the House of

Peers to hear the Commission read." The Speaker then goes to the House of Lords attended, as is customary on these occasions, by the Sergeant-at-Arms and such of the members of the House of Commons as care to assist in the concluding ceremony of the session.

In the House of Lords the Commission is read, and the Royal Assent is given to all the bills awaiting it, including the Appropriation Bill, — the final measure of the session; and afterwards, to quote from an official programme of the ceremony, "Her Majesty's most gracious Speech is delivered to both Houses by the Lord High Chancellor in pursuance of her Majesty's commands; another Commission is then read for proroguing Parliament; and the Parliament is accordingly prorogued." At the conclusion of this ceremony the Speaker returns to the House of Commons, and, as with the Speech at the opening of the session, reads the Speech preceding the prorogation. The members who are present at this concluding ceremony then form in line, and passing the Chair, shake hands with the Speaker before dispersing.

When a dissolution is about to occur, Parliament is prorogued. The Queen in Council determines upon the prorogation, and also upon the dissolution, and a separate Council precedes each step. At the close of the second Council, the dissolution Proclamation is issued, and is published in the *London Gazette* in this form: —

BY THE QUEEN. — A PROCLAMATION.

For dissolving the present Parliament and declaring the calling of another.

VICTORIA R.

Whereas we have thought fit, by and with the advice of Our Privy Council, to dissolve this present Parliament, which stands prorogued to the day of next: We do, for that end, publish this Our Royal Proclamation, and do hereby dissolve the said Parliament accordingly; and the Lords Spiritual and Temporal, and the knights, citizens, and burgesses, and the Commissioners for shires and burghs of the House of Commons, are discharged from their meeting and attendance on the said the day of next. And we, being desirous and resolved, as soon as may be, to meet Our people and to have their advice in Parliament, do hereby make known to all Our loving subjects Our Royal will and pleasure to call a new Parliament: and do hereby further declare that, with the advice of Our Privy Council, we have given order that Our Chancellor of that part of the United Kingdom called Great Britain, and Our Chancellor of Ireland, do respectively on notice thereof forthwith serve out writs, in due form and accordingly to law, for calling a new Parliament. And We do hereby also by this Our Royal Proclamation, under Our Great Seal of Our United Kingdom, require writs forthwith to be issued accordingly by Our said Chancellors respectively for causing the Lords Spiritual and Temporal and Commons who are to serve in the said Parliament to be duly returned to, and give their attendance in, Our said Parliament on the day of next; which writs are to be returnable in due course of law.

Given at Our Court at Windsor, this day of in the year of our Lord and in the year of Our Reign.

God save the Queen.

Members are elected for the duration of a Parliament. Theoretically, a member of the House of

Commons cannot resign; he may, however, rid himself of his membership by accepting an office under the Crown, and to this end the sovereign is always ready to confer on a member who desires to relinquish his Parliamentary duties the Stewardship of the Chiltern Hundreds. Neither pay nor duties attach to the Stewardship; but its acceptance serves to liberate a member, and it is popularly supposed to give him an honorable discharge, as, in receiving it, he accepts office under the Crown. The Stewardship is immediately resigned. The office can be conferred upon a member, whether Parliament is or is not sitting, through the medium of the Chancellor of the Exchequer; but only when the House of Commons is sitting can a new writ of election be issued for the vacancy caused by a member accepting the Chiltern Hundreds. When a member is elevated to the House of Lords, as soon as the letters patent conferring upon him the peerage are issued, the seat he has held in the Commons becomes vacant.

The bankruptcy of a member entails the immediate vacation of his seat; and when a member has been convicted of a misdemeanor or a felony, he is expelled the House. In a case of this kind the judge presiding at the trial informs the Speaker, by letter, of the conviction; the Speaker reads the letter to the House, and the House thereupon takes action. The motion for expulsion is moved by the leader of the House, and usually seconded by the leader of the Opposition. A similar course is taken in regard to a member who is a fugitive from justice, with the

exception that in this case the House fixes a day on which the member is to attend in his place. If he fails, the motion for his expulsion is made, and is usually carried without a discussion or a division.

In the event of the death of a member while the House is sitting, the new writ is moved for by the whip of the party to which he belonged. Except in the case of leading statesmen, no reference is made in the House to the death of a member until the new writ is moved. If the death of a member occurs during the Parliamentary recess, it is certified by two members to the Speaker, who, after an announcement in the *London Gazette*, issues his warrant to the Clerk of the Crown to make out a new writ. If the deceased member represented a borough, the writ is addressed to the mayor. If he represented a division of a county, it is addressed to the sheriff, and the election takes place as soon as the necessary local preliminaries can be arranged.

There are numerous claims of a public and a semi-public character upon the time of a member of Parliament in his own constituency. At Westminster, with one or two exceptions, the claims of a constituency upon its members are confined to his actual services on the floor of the House of Commons. For individual constituents a member does little beyond now and again asking questions in the House of Commons or securing occasional orders of admittance to the public galleries of the House. If, however, a borough has a private bill going through Parliament, such, for instance, as one empowering it to take over

from private owners the local water supply, or if a borough is concerned in a private bill introduced by a railway or a canal company, the local member is expected to aid the municipal authorities at the committee stage, and to help in getting the bill through its later stages in Parliament.

For groups of constituents also occasional services have to be rendered. Take the case, for example, of a member representing a mining constituency. If the miners have a grievance arising out of the working of the Mines Regulation Acts, the Home Office is the State Department to which they will apply for redress. To this end a deputation from the constituency will visit London, in order to wait on the Home Secretary. On these occasions the local member of Parliament introduces the deputation to the Minister, and remains in attendance during the interview. If, later on, the mine-owners desire to place their views of the matter before the Home Secretary, the local member will also in turn accompany them to the Home Office, and act for their deputation as he did for that representing the miners.

Most members of the House of Commons make it a rule to address mass meetings of their constituents at least once every year. The meeting is usually held at the end of the Parliamentary session, when the member reviews its work and his own share in it, and receives votes of confidence and thanks from the meeting. If an elector has any fault to find with the action of the local member, if he desires to question a vote or criticise a speech, opportunities for so

doing are afforded him at this meeting. As a rule, however, only a member's political supporters, those who voted for him at the last election and are going to vote for him at the next, attend these annual gatherings.

During the last quarter of a century the character of the membership of the House of Commons has been gradually changing; and as one of the results of the Reform Acts of 1867 and 1884, a larger number of men connected with Journalism, with Trade and Commerce, and with Trade Unionism have been chosen by the constituencies. Country gentlemen and lawyers, retired army and navy officers and civil servants, are no longer in as great force in the House as they were during the first sixty years of the century; although in every Parliament the number of lawyers is always large. Most of them are barristers; a few are of the solicitor branch of the legal profession; but it is for the members of the Inns of Court — the Queen's counsellors, and the barristers who hope to be Queen's counsellors — that politics affords the greatest opportunities and offers the most splendid prizes.

A lawyer who distinguishes himself in the House of Commons sooner or later obtains advantage in his profession, even in the way of briefs; while to one who pushes himself into the front rank of politicians, and makes a place for himself in his party, such prizes as the Lord Chancellorship, the Home Secretaryship, the Attorney and the Solicitor Generalships, and the Scotch and Irish Law Officerships are open.

Most of the judicial patronage which falls into the hands of the Government, either at home or in India, or in the Crown Colonies, is also bestowed upon their supporters of the legal profession who are, or have been, in the House of Commons. The patronage which falls to the lot of any Government is not large, but of what there is the lawyers invariably obtain the larger share.

To lawyers and to the younger sons of peers and the scions of the other landed families who enter Parliament soon after leaving the University, politics offers a career; and, as a general thing, it is only men of these classes who reach the Treasury Bench. In Lord Salisbury's 1886–92 Administration, there were two men of Cabinet rank who had made their wealth in trade. One of these, the late Mr. W. H. Smith, was First Lord of the Treasury and Leader of the House of Commons; Mr. Ritchie, the other, was President of the Local Government Board. In Mr. Gladstone's 1892 Administration, there was one representative of this class, Mr. Mundella, the President of the Board of Trade. But both the late Mr. W. H. Smith and Mr. Mundella entered Parliament at a fairly early age, at a much earlier age than is usual with the majority of men grown rich in trade or commerce who seek election to the House of Commons.

These men mostly enter the House after they have amassed a fortune, or at least made a competency in trade. Most of them are past middle age, many of them well on into the sixties, before they are able to retire from business and devote themselves to

politics. They go into the House at too late a period in life to make any mark or achieve any great success. Few of them even hope for such success, and merely regard service in a Parliament or two as a fit rounding off of a public career which began at home in the town council.

For a time these new comers are diligent in their attendance at Westminster, and can always be relied upon by the party whips. After a few years of the House, whatever fascination it had for them begins to fade, and the whips can no longer count upon them as they could in their early days at Westminster. Many of these men abandon the life after a single Parliament, and go back to what is to them a more congenial work on the town council or the school board. A few of them, especially those who are very wealthy, who are socially ambitious, and anxious to found a family, hold on for a few years longer in the hope of securing a baronetcy — a reward frequently bestowed by Governments upon the rank and file of their supporters in the House of Commons to whom office of any kind has never been possible. There are dozens of names in Debrett's Baronetcy List which owe their presence there to political service of no higher order than this, coupled sometimes with an unstinted expenditure of money for political campaign purposes, or may be the sinking of a fortune in the effort to bolster up a partisan daily paper.

Each Parliament sees a large contingent of new members, of men who are new to Westminster and new to national politics. In the House of Commons

elected in 1892 there were two hundred and seventeen new members. In that elected in 1886 there were one hundred and forty new members; while in 1885, in the House of Commons elected on the extended franchise created by the Reform Act of 1884, nearly one-half the members, or, to be exact, three hundred and thirty-three were men who had had no place in the preceding House of Commons. Some of these changes are due to the failure of former members to secure re-election; but most of them are due to the retirement of men drawn from the ranks of trade and commerce with whom service at Westminster during the lifetime of one Parliament abundantly satisfies their political ambition.

Daily journalism, which greatly developed in the fifties and the sixties, and the employment it affords to men who are not wealthy, but who have both brains and ambition, accounts for the number of newspaper men who have entered the House of Commons since 1885. At the 1892 election fifty or sixty journalists and newspaper proprietors offered themselves to constituencies, and of this number about thirty-five were elected.

Labor representation in the House of Commons dates back to Lord Beaconsfield's 1874 to 1880 Administration. Mr. Thomas Burt, Parliamentary Secretary to the Board of Trade in Mr. Gladstone's 1892 Administration, and Mr. Alexander Macdonald who was elected for Stafford, were the first Labor Members. They were the first workingmen chosen by their fellows to represent them in the House of

Commons. At the General Election in 1874 the coal miners of Morpeth, in the County of Northumberland, elected Mr. Burt as their member, and paid him a salary for his Parliamentary services out of the funds of their trade union. In the next Parliament, that which lasted from 1880 to 1885, and during the existence of which the Liberals were in power, Mr. Burt had the company of Mr. Henry Broadhurst, who was elected as a Labor member for Stoke-upon-Trent. Mr. Broadhurst had worked as a stone mason, and was for some years in receipt of a salary as the secretary of a trade union organization. Up to 1885 Messrs. Burt and Broadhurst were the only Labor members. In the next Parliament, that elected after the Reform Act of 1884, which enfranchised the small householders in the rural constituencies, and for the first time placed thousands of miners and agricultural laborers on the electoral rolls, both Mr. Burt and Mr. Broadhurst were re-elected, and the Labor group at Westminster was increased to ten. At the General Election in 1892 the number of Labor members elected was sixteen, including three or four avowed Socialists.

CHAPTER VIII.

THE STATE DEPARTMENTS.

Departments most in Touch with the People. — Local Government Board: Poor Law and Municipal Administration. — The Committee of Council for Education: Distribution of Parliamentary Grants; Education Code. — The Home Office: London Police; Factory and Mines Legislation; Prisons; Naturalization. — Board of Trade: Joint Stock Undertakings: Bankruptcy Laws; Railways, Canals, and Harbors; Trade Statistics; Labor Department; the *Board of Trade Journal*, and the *Labor Gazette*. — The Post-Office: Telegraph System and Savings Banks. — Board of Agriculture: Cattle Disease and Importation of Cattle. — Office of Public Works: Royal Palaces, Public Buildings, and Parks. — Chancellorship of the Duchy of Lancaster. — War Office. — The Admiralty. — The Foreign Office. — The Colonial Office: Crown Colonies; Colonies Possessing Representative Institutions but not Responsible Government, and Colonies with Responsible Government. — The India Office: the India Council; Executive Authority in India; the Governor General: the Legislative Council. — Salaries of Cabinet Ministers and Heads of Departments. — Ministers and Pensions.

IN describing in the earlier chapters the various forms of local government in the municipalities and the counties, some account was given of the Local Government Board, the Committee of Council for Education, the Home Office, and the Board of Trade. It may be well, however, again briefly to describe these State Departments, together with the other principal Departments of State of which up to this point there has been no mention. All these Departments are represented by a Minister in Parlia-

ment. In describing them they will be taken in the order in which they come most into touch with the people.

The Local Government Board dates from the establishment of the new poor-law system in 1834. By the Act of Parliament which reformed the old poor laws, a special Board of Commissioners was created, which was then known as the Central Poor Law Board. This Board was independent of Parliament. In 1847 it was reconstructed and placed under the presidency of a Minister with a seat in Parliament. From 1847 to 1871 it was known as the Poor Law Board. In the latter year it took over from the Home Secretary's Department numerous duties in connection with municipal government and public health, and its title was changed to the Local Government Board. Almost every session of Parliament sees some addition to the powers of the Board, which is now in more direct contact with the municipalities and with local life generally than any other Government Department at Whitehall. Its President and its Parliamentary Secretary are the only officials of the Board whose tenure of office is at all affected by a change in the Administration. The President is invariably a member of the House of Commons, and in recent Governments he has had a place in the Cabinet.

The Committee of Council for Education, or the Education Department as it is popularly called, exercises supervision over the various departments of state-aided education, and distributes the grants for

this purpose which are annually made by Parliament. These grants date from 1833, but it was not until 1839 that a State Department was established to supervise the distribution of the money. After the passing of the Elementary Education Act of 1870, the Committee of Council for Education became a Department of great importance. Its duties were further extended by the Technical Education Acts of 1889 and 1891; and next after the Local Government Board, the Education Department is now more in touch with all parts of England and Wales than any other Department. There is not a village in the country which does not in one way or another, either through a school board, a school attendance committee of a town council, or a board of guardians, or through a committee of a voluntary school, receive some share of the annual grant made by Parliament for educational purposes; and at least once a year, every village receives a visit from an inspector in the service of the Education Department. The Department practically consists of the Lord President and the Vice-President of the Council The Lord President is a peer and a member of the Cabinet. The Vice-President is always in the House of Commons, and in recent Administrations he has also been of the Cabinet. The Department each year draws up a Code of Minutes which, in pursuance of the Elementary Education Act of 1870, must be laid on the table of the House of Commons and of the House of Lords before it can be acted upon.

The Home Office has for its political head one of

the five Principal Secretaries of State. The other four are for War, for Foreign Affairs, for the Colonies, and for India. All these Secretaries are of the Cabinet. The Home Secretary is invariably in the House of Commons. His department has the control of the Metropolitan Police Force, and also the oversight of the constabulary forces in the counties and the police forces in the municipal boroughs, and, generally speaking, it is responsible for the internal peace of the country. Prisons, convict establishments, criminal lunatic asylums, and all matters connected with the post-judicial administration of the criminal law, are within the Department of the Home Office ; as is also the administration of the Factory Laws and the laws relating to mining. Parish graveyards and the burial laws also come under the Home Office.

Among the numerous other duties of less importance discharged by the Home Office is the issuing of certificates of naturalization to aliens. These are granted on application to all foreigners of good antecedents and character, who submit proofs of residence and of intention to continue to reside in the United Kingdom. The certificates are granted free of charge, and at the time of their issue are announced in the *London Gazette*. The Home Secretary is always a lawyer. In addition to the Home Secretary, there is an Under Secretary for Home Affairs, who is also usually in the House of Commons. The Under Secretary, like the Home Secretary, retires when the Administration goes out of office.

The Board of Trade in one form or another has existed since the time of Charles the Second. It now has the oversight of the administration of the laws relating to joint-stock undertakings or limited liability companies, of those relating to bankruptcy, and the oversight of all matters connected with the mercantile marine, harbors, railways, street-car lines, and canals. The local control of harbors and rivers is deputed to harbor boards and boards of river conservators, in whose election the municipalities, the ship-owners, the traders, and other persons interested, have a voice. The Board also collects information relating to trade and commerce abroad, which is published monthly in the *Board of Trade Journal*. It also compiles and publishes monthly statistical returns as to imports and exports. The Labor Bureau is a department of the Board of Trade. Its work is mainly confined to the collection and compilation of information of all kinds relating to labor, which is published monthly in the *Labor Gazette*. The President of the Board of Trade is usually in the House of Commons, where the Department is also represented by a political secretary. The President also has usually a seat in the Cabinet.

The political head of the Post-Office is the Postmaster-General, who is invariably in the House of Commons and of recent years has been a member of the Cabinet. Since 1869 the Post-Office has controlled the telegraphs. In connection with the Post-Office there is also a system of savings banks, in which deposits may be made not exceeding the sum

of £150, of which not more than £30 may be deposited in one year.

The Board of Agriculture is the most recently created State Department. It was established by Lord Salisbury during his 1886 to 1892 Administration. Its duties are principally the administration of the laws for preventing and stamping out cattle disease. Its President has a seat in the Cabinet and is a member of the House of Commons.

The Office of Public Works and Buildings is in charge of a member of the Government who is known as the First Commissioner of Works. His Department has the custody and supervision of all royal palaces, of buildings like the Houses of Parliament and the Law Courts, as well as the public offices at Whitehall and elsewhere. A number of the national parks are also under the control of the First Commissioner of Works.

The Lord Chamberlain, who holds office on a tenure similar to that of the other members of the Ministry, has the general supervision of the Royal Household "above stairs," and also various duties towards the Sovereign and the Court. He comes into contact with ordinary people as the official through whom presentations at Court are arranged. In London and Westminster, and in other places where there are Royal Palaces, he acts as the licensor of theatres. The Examiner of Plays has an office in the Department of the Lord Chamberlain. His sanction is necessary to the production of a play in any theatre or hall in England at which a charge for

admission is made. Licenses for theatres in the provinces are granted by the local magistrates.

The Chancellorship of the Duchy of Lancaster is an office more remarkable for its antiquity than for its present usefulness. It dates from the time of Henry the Fourth, when the County of Lancashire was under a government distinct from the rest of the Kingdom. About the only duty now associated with the office is the appointment of magistrates for the county of Lancashire. In the other English and Welsh counties, these appointments are made by the Lord High Chancellor, who is the head of the Judicial system. The duties of the Chancellor of the Duchy of Lancaster are thus exceedingly light. The holder of the office is often spoken of as "the maid of all work to the Cabinet," from the fact that he is accorded a place in the Cabinet without being assigned any special duties likely to occupy the whole of his time. Usually the office is bestowed upon some statesman whom it is desirable for special reasons to have in the Cabinet, but for whom no other office of equal rank or importance is available. The Chancellorship of the Duchy is one of the two offices held by the late John Bright. He held it for the first two years of Mr. Gladstone's 1880–85 Administration. In Mr. Gladstone's 1892 Administration the office was held by Professor Bryce, who was assigned to it in order that the Cabinet might have the advantage of his knowledge of constitutional law, and of the working of the American Constitution, in drawing up the Home Rule bill.

A salary of £2,000 a year attaches to the Chancellorship — as large a salary, in fact, as is paid the Presidents of the Board of Trade and of the Local Government Board and the Vice-President of the Education Department.

The titles of the War Office and the Admiralty are almost sufficient to explain the working of these two State Departments. The political head of the War Office, who is one of the five Principal Secretaries of State, has control of the army at home and abroad, and is responsible for its efficiency to the Sovereign and to Parliament. He directs all movements of troops, and all appointments made by the Commander-in-Chief are subject to his approval. The Secretary for War is a member of the Cabinet; he is usually in the House of Commons, and has the assistance of an Under Secretary, generally a military man, who is also a member of the House of Commons.

The Admiralty, which has charge of the Royal Navy, is administered by Lords Commissioners. The head of the Department is known as the First Lord of the Admiralty. He is of the Cabinet; and in recent administrations the First Lord has been a member of the House of Lords, and his Department has been represented in the House of Commons by the Secretary to the Admiralty and also by one of the Lords Commissioners, who is known as the Civil Lord of the Admiralty. The other Lords Commissioners, or junior lords, are admirals without seats in Parliament, and are respectively at the heads of the

Departments into which the Admiralty is divided. The foreign movements of ships of the Royal Navy are at the instance of the Cabinet, the Foreign Office, and the Colonial Office; and it is from these authorities that the Lords of the Admiralty receive their orders. In time of War the orders would come from the Cabinet; in times of peace the movements of vessels are chiefly at the instance of the Foreign Office and the Colonial Department.

The Treasury, of which for all practical purposes the Chancellor of the Exchequer is the political head, provides the means of meeting the charges for the Military, Naval, and Civil Services. The Parliamentary heads of these each of the spending and administrative Departments, such, for instance, as the War Office and the Admiralty, the Home Office and the Board of Trade, are responsible for the estimates for their respective Departments; but it is part of the duty of the Chancellor of the Exchequer with the permanent Secretary of the Treasury to check all estimates. After they have been so checked for submission to the House of Commons in Committee of Supply, the Cabinet is supposed to be responsible for them; and the rejection or reduction of an estimate would be tantamount to a defeat of the Government.

The duties which bring the Chancellor of the Exchequer most prominently before the country are those in connection with the Budget. This is submitted to the House of Commons in April each year. When there is a deficit, the Chancellor of the

Exchequer, with the approval of the Cabinet, submits proposals for new or increased taxation. On the other hand, when there is a surplus, he submits proposals to the House in Committee of Ways and Means for the reduction or remission of taxation.

The First Lord of the Treasury is one of its Parliamentary heads, but the duties of the First Lord are little more than nominal. So also are the duties of the three Junior Lords of the Treasury who are members of the House of Commons. So far as the Treasury is concerned, the offices of the Junior Lords are sinecures. Occasionally the Junior Lords sign official papers; but their principal work is at Westminster, where, in association with the Patronage Secretary of the Treasury, they act as whips to the Government forces of the House of Commons.

The Foreign Office is another of the State Departments whose functions are almost sufficiently explained by their title. Its political head is invariably of the House of Lords, and the position he holds is next in importance and rank to that of the Premier. All diplomatic intercourse is conducted by the Secretary of State for Foreign Affairs. English ambassadors and consuls receive their instructions from him; foreign ambassadors in London have their audiences with him; and he also conducts all negotiations for international treaties. There is an Under Secretary for Foreign Affairs who represents the Department in the House of Commons. A change of Administration affects only the Secretary and the Under Secretary. Ambassadors and consuls

hold their appointments during good behavior, and retire on pensions.

The Colonial Office is a State Department with an interesting history, going back to 1660, when a Committee of the Privy Council was appointed for Plantations, as the colonies were called two centuries or so ago. This Council was continued for more than a hundred years, in fact, until 1768, when colonial affairs were placed under the control of a Secretary of State. The principal duties of the Secretary for the Colonies at that time were in connection with America; for England then had few colonies in the other parts of the world needing much attention from home. When the United States secured their independence in 1783, the office of Colonial Secretary was abolished, and the management of the colonies was for some time invested in the Home Office. In 1794 they were placed under the care of the Secretary of State for War; and this arrangement was continued until 1854, when the War Department was reconstructed, and separate Secretaries of State were appointed for War and for the Colonies.

India is controlled from London by a Department altogether distinct from the Colonial Office, with a Secretary of State and an Under Secretary of its own. The Secretaries of State both for India and for the Colonies are of the Cabinet; and of late years the Principal Secretaries have been members of the House of Lords, the Under Secretaries representing the Departments in the House of Commons.

The colonies are divided into three classes accord-

ing to the character of their relations to the Mother Country.

In the first class are what are known as Crown Colonies. In these the Crown has entire control of legislation, and the administration is carried on by public officers under the control of the Colonial Office. Hongkong, Gibraltar, and Cyprus are examples of dependencies which are classed as Crown Colonies.

In the second class are the colonies possessing representative institutions, but not responsible government, — those in which the Crown has no more than a veto on legislation, but in which the Colonial Office retains the control of the public offices. Ceylon and Newfoundland are examples of the second class of colonial possessions.

In the third class are the colonies possessing representative institutions and responsible government, in which the Crown has only a veto on legislation, and the Home Government has no control over an officer except through the Governor. "Under responsible government," reads the official Colonial Office explanation, "the executive councillors are appointed by the Governor alone, with reference to the exigencies of representative government. The other public officers are appointed by the Governor on the advice of the Executive Council. In no appointment is the concurrence of the Home Government necessary." All colonial governors are appointed by the Crown — that is, by the Colonial Office, subject to the approval of the Crown. Canada, Victoria, New Zealand, and

Cape Colony are examples of colonies in the third class,—of those possessing representative institutions and responsible government.

Under the supervision of the Colonial Office, there is a Department known as the Emigrants' Information Office. It is managed by a committee nominated by the Secretary of State for the Colonies, and is in constant communication with the Agents General in London of the various British colonies. No financial aid is ever given by this Department to emigrants. All that it does is to collect information concerning the colonies, which is printed and exhibited at the Post Offices throughout the country. Each month the office also furnishes a bulletin to the newspaper press, reporting the varying conditions of trade in the colonies, and stating which colonies are desirous of receiving emigrants, and the kind of persons who are most needed there.

Colonies in which the labor market is well supplied or overstocked also make these facts known through the medium of this monthly bulletin. Until a few years ago many of the colonies gave assisted passages, and offered land grants and other advantages to desirable emigrants of ascertained good character. In recent years the Australasian colonies have almost entirely discontinued the system of assisted passages, except in the case of women for domestic servants; and Canada is now the only large colony which makes any considerable endeavor to obtain immigrants from England. The number of emigrants of English, Scotch, and Irish origin is between 250,000

and 300,000 a year. Of this number more than two-thirds leave Great Britain and Ireland for the United States.

The India Office in its present form dates from 1858. In that year an Act of Parliament was passed vesting in the Crown the territories in Asia, which from 1784 had been jointly administered by a Board of Control nominated by the Crown, and the Court of Directors of the East India Company. The old Board of Control exercised political powers, while the Court of Directors exercised control over trade and commerce.

The dual system broke down about the time of the Indian Mutiny; and by the Act of Parliament of 1858 it was directed that "all the powers and duties, when exercised or performed by the East India Company, or by the Court of Directors, or Court of Proprietors of the said Company, either alone or by the direction or with the sanction or approbation of the Board of Control, should in future be exercised and performed by one of Her Majesty's Principal Secretaries of State."

By the same Act of Parliament a Council was established to assist the Secretary for India. It consists of not less than ten members, who are nominated by the Secretary. The majority of this Council must be of persons who have served or resided ten years in India, and have not left India more than ten years previous to the date of their appointment. The members of the Indian Council are appointed for ten years, and under the direction of the Secretary of

State conduct all the business transacted in London in relation to the Government of India.

In India executive authority is vested in the Viçe-roy or Governor-General, who is appointed by the Crown, like the Governor-General of Canada; and he acts under the orders of the Secretary of State for India. The Governor-General in Council is invested with powers to make laws for all persons, whether British or native, within the Indian Territories under the dominion of the Queen. The Governor-General's Council ordinarily consists of five members, who are appointed by the Crown. In addition there is a legislative Council; the members of the Governor-General's Council are of this body, as well as from six to twelve other members, who are appointed by the Governor-General. Governor-generalships and Governorships of colonies are political appointments; but they are for a fixed term, and are consequently unaffected by a change in Administration.

All the political heads of these State Departments, whether of the Cabinet or not, retire when the Ministry is changed; but these are the only changes in the Departments that are caused by the outgoing of one Administration and the incoming of another. The salaries received by the members of the Cabinet range from £2,000 to £10,000. The political secretaryships and the undersecretaryships of Departments have attached to them salaries of £1,500 to £2,000 a year.

Pensions are granted to such of the holders of these offices as, after their retirement, become too

straitened in means to maintain themselves in a social position in keeping with the rank they have held. These pensions are granted irrespective of length of official service. They range in amount from £1,000 to £1,200 a year. When the recipient of a pension is again in office the payment of the pension is suspended so long as he is in receipt of his official salary. Applications for pensions are comparatively rare, and their receipt detracts from the popularity and political weight of an ex-minister.

CHAPTER IX.

THE CHURCH OF ENGLAND AND NONCONFORMITY.

Constitutional Position of the Church of England. — The Church of the Whole People. — The Old Division Line between the Church and Nonconformity. — Civil Disabilities of Nonconformists. — What remains of the Old Dividing Line. — Religious Equality Legislation during the Present Century. — The Marriage Laws. — Civil Marriages. — Registration of Marriages. — Admission of Jews to Parliament. — Abolition of Compulsory Church Rates and University Tests. — Opening of Churchyards to Nonconformists. — Offices which may not be held by Roman Catholics. — The Universities and Church Livings in the gift of Roman Catholics. — Bishops in the House of Lords. — Parliament and Church Legislation. — Provinces of Canterbury and York. — Appointment of Archbishops, Bishops, and Deans. — The Prime Minister and Ecclesiastical Appointments. — Convocation. — Ecclesiastical Courts. — A Parish. — The Legal Check on the Ritual. — Negligent Clergymen. — An Incumbent and his Parishioners.

THE position of the Established Church has been well described by Canon Perry, the author of the "History of the Church of England." "The Church of England, or the spirituality," he writes, "is one of the states of the realm, and has an integral part in all legislation. The Church is accepted by the State as the religious body in England which is the legitimate possessor of all property set apart and devoted to religious uses, except the rights of some other religious body be specially expressed. It is the possessor of the ancient religious fabrics of the land, and of the cemeteries attached to them.

Its rights are carefully guarded by law, the incumbent of each parish being a corporation sole with certain duties and privileges. The position of the Church towards the State is called its establishment. It has arisen not from any definite Act of Parliament, but from the gradual interpenetration of the State by the Church, and from having mutually grown together."

The Church of England is therefore, theoretically speaking, the Church of the whole of the people ; and all outside its communion, whether Roman Catholics, Jews, members of the Society of Friends, or members of the numerous dissenting bodies, are regarded in law as Nonconformists.

A century ago Church and Dissent were marked off by a line of division which was very clearly drawn, and a number of civil disabilities, some of a serious kind, attached to those who were on the Nonconformist side of the line. Some disabilities still attach to nonconformity ; but the breaking-down of the civil barrier, which was commenced with the abolition of the Corporation Acts in 1828, is still going on, and only in the session of Parliament of 1892 an Act to Amend the Public Health Acts was passed, the intention of which was to place all Nonconformist Chapel property on the same footing as the property of the Church of England, with respect to the cost of making new streets adjoining such property. Before this Act was passed the Established Church alone was exempted from the obligation of contributing towards the expenses incurred by muni-

cipal authorities in making new streets. The Act gives all denominations the same privileges.

Ever since the commencement of the century the Statute Books have been receiving additions of a character similar to the Act of 1892, all passed with a view to establishing something like equality between the Church of England and the Nonconformist communities. A summary of the more important of these measures shows how wide was the division when the movement towards religious equality began, and the point which this legislation has reached at present shows what still remains of the legal division between the Church and the numerous forms of dissent.

One of the earliest measures which gave recognition to dissent was the Toleration Act of 1689, under which a minister, preacher, or teacher of a Nonconformist congregation was exempt from militia service, and from serving on a jury. These privileges still attach to all Nonconforming ministers of congregations whose places of worship are registered under an Act of Parliament passed in the early years of the present reign. As regards the present century, the legislation for the relief of dissenters began in 1828, when the necessity for receiving the sacrament according to the rites of the Church of England, as a qualification for public office, whether State or municipal, was abolished. The next year an Act was passed which conferred full citizenship upon Roman Catholics, and repealed all the existing Acts of Parliament which required the taking of oaths

and the making of declarations against Transubstantiation.

The next Act of importance was that passed in 1836 for amending the marriage laws. Hitherto only clergymen of the Church of England had had the right to perform the marriage ceremony; and from 1753, when Lord Hardwicke's Marriage Act was passed, to put an end to the scandals of the Fleet Prison marriages, until 1836, the law directed that the ceremony should not be performed except in a building which had been consecrated by a bishop of the Church of England. The Act of 1753 worked great hardship on all dissenters. The Act of 1836 introduced a reform and established the system under which marriages are celebrated in England at the present time.

It was passed by the Administration of Lord Melbourne, and was carried through the House of Commons by Lord John Russell, who was then Home Secretary. Lord John Russell's intention was to establish complete equality between the Church of England and the Nonconformists, and to make the State independent of the registers kept at the parish churches. His original proposal was that notices of all marriages should be first given to a civil officer; and that all marriages, whether in Church or chapel, should take place on the certificate of the civil registrar. This plan would, however, have done away with the publication of the banns in the parish churches. The bill as thus drawn up, was therefore opposed by the bishops in the House of Lords; and

as the peers sided with them, Lord John Russell was compelled to give way, and so amend his bill as to leave the Church in possession of at least some of its old privileges under the marriage laws.

Under the old law there was only one way of entering into the marriage contract. The Act of 1836 introduced the civil form of marriage, and gives people about to be married the choice of four methods of entering into the legal relationship. By the first of these methods the ceremony and all its preliminaries are still exclusively associated with the Church of England. When this method is chosen, the parties about to be married give notice to the clergymen in whose parishes or ecclesiastical districts they are living, in order that the banns may be published. Seven days' notice must be given, and then on three consecutive Sundays the banns are read out in the churches. If both parties to the marriage live in the same parish, the banns are published in only one church. If either party is under age, the dissent of the parents or guardians expressed at the time of publication renders the publication null and void. Any other legal objection to the marriage can also be made at the time of the publication of the banns. When both parties live in the same parish, and are to be married in the church in which the banns were proclaimed, no certificate of such proclamation is necessary. When they live in different parishes, the clergyman who is not to perform the ceremony, but has proclaimed the banns, issues a certificate to that effect, which must be presented to the clergyman

who performs the marriage ceremony. The marriage must take place within three months after publication of the banns. The ceremony and the duty of registering the marriage and issuing the certificate are all performed by the clergyman, without the aid or attendance of a civil officer, and only two witnesses of the ceremony are required by law.

By the second of the methods legalized by the Act of 1836, notice of a marriage must be given to the registrar of a district. He is a local civil officer in the service of the Registrar General of Births, Marriages, and Deaths who has his headquarters at Somerset House in London, where a permanent record of all marriages is kept. When the notice has been given to the local registrar, it is published at his office; and after it has been so made public for twenty-one days, the registrar issues a certificate to that effect. When the parties to the marriage live in different districts, notice must be given to the registrar in each.

The parties to the intended marriage have then three courses open to them: they may content themselves with a civil marriage, performed by the registrar at his office; they may be married in a Nonconforming chapel which has been registered at Somerset House and licensed for the solemnization of marriages; or they may take the registrars' certificates to a clergyman of the Church of England, and if he is willing, the marriage ceremony may be performed at Church.

When the second of these courses is adopted, and the marriage is to take place at a Nonconforming

chapel, another notice of it must be given to the district registrar, who must be in attendance when the marriage takes place to witness it and also to issue the certificate. Without the attendance of the registrar, the marriage would be void, no matter if it were performed by the President of the Wesleyan Methodist Conference, the President of either the Congregational or the Baptist Union, or a Cardinal or a Bishop of the Roman Catholic Church in England.

The Act was passed in 1836 principally for the relief of people who had conscientious objections to being married according to the rites or with the service of any other church than that with which they were associated. It certainly afforded relief to a considerable extent; but of late years there has grown up a feeling that as a measure of religious equality it did not go far enough, and that the legally recognized ministers of Nonconforming churches are placed at a disadvantage under it as compared with the clergymen of the Church of England. In 1893 this view was put before a Select Committee of the House of Commons appointed to inquire into the working of the law of 1836 with a view to legislation to relieve Nonconformist ministers, solemnizing marriages, of the attendance of a civil officer in the person of the registrar.

The Committee, after hearing evidence from the representatives of the more important Nonconforming Churches, reported "that the attendance of a registrar as a condition of the validity of marriages in Nonconformist places of worship, and as a security

for the due solemnization of marriages so solemnized, is neither desirable nor necessary for the purpose of securing accurate registration." It also recommended "that the most satisfactory plan for securing such accurate registration is to make it the duty of the person officiating at the marriage himself to register the marriage in a permanent register book, to be kept at the church or chapel; and that it shall be the duty of the person officiating at the marriage to post or deliver to the registrar under penalty, within seventy-two hours after the solemnization of the marriage, a complete form of return, which shall be an exact copy of the entry in the marriage register, and which shall be signed by the person officiating at the marriage."

The marriages of Jews and of members of the Society of Friends when celebrated in their places of worship are exempt from the law requiring the attendance of a registrar. These two religious communities obtained this exemption by statute owing to the persistency with which they refused to accept the conditions imposed by the marriage laws on Nonconformists generally.

In 1846 the Act of Parliament was formally repealed which compelled Jews living in England to wear a distinctive dress. The law had, however, been in abeyance for nearly two centuries. About this time also the Jews were admitted to the privileges of the naturalization laws; and in 1858 the House of Commons by resolution altered the form of oath tendered to all its members. As it had stood up to this

time, Jews were prevented from voting in the divisions, although a Jew could take his seat in the House when sent there by a constituency.

Until 1865 Church Rates were compulsory. They were levied upon every householder, whether he were of the Established Church or a member of a dissenting community, for the maintenance of the fabric of the parish church. The rate was assessed upon the poor law valuation; and if the householder failed to pay, the collectors could distrain upon his property.

In 1871 the University Test Acts were abolished. Until that time subscription to the Articles of the Church of England and attendance at the public services of the Church were compulsory with students at the Universities of Oxford, Cambridge, and Durham. Some years earlier Cambridge had admitted Nonconforming students without the tests; but a student so admitted could not take a degree. Membership of the Church of England was also a necessary condition for holding University and college offices, and all the University tests abolished in 1871 had been exempted from the Act of Toleration of 1688, and the Roman Catholic Relief Act of 1829.

After the Act abolishing University Tests, came the Act of 1880, which opened the graveyards attached to the churches of the Establishment. Hitherto only the burial service of the Church of England was allowable in a parish churchyard, and none but clergymen of the Established Church had been permitted to read the service. Under the law

of 1880, in churchyards which are still open for interments, the burial services of the Nonconforming churches may be read by the Nonconforming ministers on due notice being given to the parish clergyman.

The last of the measures passed by Parliament was the one referred to at the outset of this chapter, — that carried in the session of 1892, which places churches and chapels of all denominations on the same footing in respect to exemption from charges for street improvements made by town councils and other local governing bodies. Elementary day schools conducted in connection with Nonconformist chapels had long enjoyed this exemption; but it was not until 1892 that equality on this matter was established between the Church of England and the Nonconforming community. This Act was passed while a Conservative Government was in power, — a fact which goes to prove that the feeling and spirit which actuated those who advocated the religious equality legislation of the last three-quarters of a century is now no longer confined to one political party.

It may be asked, "Under what civil disabilities do Nonconformists still labor?" Practically they are now but few. Under the law as it at present stands, it is not possible for a Roman Catholic to be King or Queen of England; nor can a Roman Catholic hold the office of Lord Chancellor, Lord Keeper of the Privy Seal, or Lord Lieutenant of Ireland. Every other political office is now open without regard to

religious opinion or belief, and without religious tests of any kind.

A Roman Catholic in recent years has been Governor-General of India; and in Lord Salisbury's 1886–92 Administration, the office of Home Secretary, one of Her Majesty's Principal Secretaries of State, was held by a Roman Catholic. When a Roman Catholic thus holds an office under the Crown, if the duties and privileges of the appointment include the right of presentation to an ecclesiastical benefice, this right for the time being devolves upon the Archbishop of Canterbury. Roman Catholics are still prevented from presenting, that is, appointing, clergymen to benefices in the Church of England.

Of the 14,000 benefices in the Church, about 8,500 are in the gift of private persons, and are principally in the hands of the heads of the territorial families and the large landowners. If a landowner who has any Church livings in his gift is a Roman Catholic, the bestowal of these gifts becomes vested in the Universities of Oxford or Cambridge. Oxford takes those which thus occur in the twenty-five counties south of the River Trent; those in the remaining twenty-seven counties of England and Wales are vested in the University of Cambridge.

These are the only disabilities which attach to Roman Catholics — that is, exclusion from four of the highest offices of the State, and the refusal of the law to allow any voice to Roman Catholics in the presentation of clergymen to benefices in the Established Church. This refusal dates from the time

of William and Mary; but it was continued by legislation passed in the reigns of Anne and George the Second. The spirit of it has been continued in legislation of a more modern date, for a Roman Catholic is prohibited from voting as a member of a lay corporation in any ecclesiastical appointment. Under this prohibition a Roman Catholic member of a board of guardians may not vote when a chaplain is being appointed; but it is doubtful if, in recent times, a case can be cited in which exception was taken to a Roman Catholic member giving a vote in an appointment of this kind.

Roman Catholics share with Nonconformists the inconvenience, and what at first sight appears the distrust, of Nonconformist ministers which characterize the marriage laws; and like the Nonconforming churches, the Roman Catholic Church has no representatives in the House of Lords as has the Church of England. The presence of the bishops in the House of Lords, and the compulsory attendance of registrars at marriages in Nonconforming chapels, now constitute about the only causes of complaint on the part of Nonconformists as to the legal position of the Church of England. The advocates of disestablishment sometimes object to the time of Parliament being taken up with legislation exclusively for the Church of England, and argue that both the House of Commons and the House of Lords, from the character of their memberships, are unsuited for this work.

Ecclesiastical England is divided into two prov-

inces, those of Canterbury and York. These provinces are again subdivided into dioceses, while the dioceses are in their turn divided into archdeaconries, and these into parishes. The parish is the unit, and is ecclesiastically an independent district. Each parish has its own church, in charge either of a rector, a vicar, or a perpetual curate, the title of the incumbent being determined by his relation to the temporalities of his parish. At the head of each of the two provinces is an archbishop; at the head of each diocese is a bishop, who has associated with him in the work and administration of the diocese, deans, archdeacons, and rural deans. Including the archbishops, there are thirty-three bishops in England and Wales, of whom twenty-seven are members of the House of Lords.

The Queen, on the advice of the First Lord of the Treasury, appoints to vacant archbishoprics and bishoprics. In the case of the older bishoprics the Crown sends to the Dean and Chapter the Royal License to proceed to the election. This is accompanied by another royal communication, naming the person who is to be chosen as bishop. The person so named is invariably chosen by the dean and chapter. His election afterwards receives the Royal Assent, and is confirmed with the Great Seal.

In the newer dioceses, — those which have been created within the last thirty years, — the bishops are appointed without any of the preliminaries which attend the appointment to the ancient sees, the offices being conferred upon them by letters patent from

the Crown. The Crown nominally makes all these appointments; but in reality the bishops are chosen by the Prime Minister. Appointments to deaneries and canonries, when these are in the gift of the Crown, are made in the same way. The dean and chapter, which consists of canons, have charge of the cathedral and its services. The dean is in residence eight months of the year, while the four canons who form the chapter are in residence for a period of three months each. A number of honorary canons are also attached to a cathedral.

For each of the two provinces there is a council, known as Convocation. Convocation assembles annually, that for the province of Canterbury at Westminster, and that for the Northern province at York. Each convocation consists of the archbishop, and the bishops, the archdeacons, and the deans of the several dioceses within the province, together with proctors, who represent the inferior clergy. Convocation cannot meet without the license or permit of the Queen, and the sanction of the Queen must be given to all resolutions adopted before they are binding on the clergy. Practically convocation has exceedingly limited powers.

Each province has also its ecclesiastical court in which offences against ecclesiastical law on the part of clergymen are tried. The court of the southern province is known as the Arches Court of Canterbury; that for the northern province as the Chancery Court of York. Connected with each diocese there is also a consistory court, held by the chan-

cellor to the bishop. Applications must be made to this court, and faculties obtained from it, before any interference, no matter how slight, can be made in the fabric of a church.

The management of a church and a parish, so far as the parishioners have any voice in it at all, is by means of the vestry meeting, held in Easter Week. The incumbent of the parish is by law chairman of this meeting, at which the parishioners elect a warden and a sidesman. The incumbent himself at this meeting also names his choice of a warden and a sidesman; and the two wardens so elected, together with the sidesmen, manage all the affairs of the church that are not in the hands of the incumbent. The wardens are legally liable for debts contracted in connection with the church. All church livings are held during good behavior. Each rector or vicar engages his own curates, and can determine their engagement at will.

The parishioners have but slight check or control over a rector or a vicar, except through the Public Worship Regulation Act, a measure passed in 1874 to amend the Clergy Discipline Act of 1840. Under the measure of 1874 a church warden or three parishioners, who must declare themselves members of the Church of England, may complain to the bishop of the diocese of any clergyman whom they consider is breaking the law in respect to the ornaments of his church, the vestments he wears, or the manner in which he conducts the services. The bishop to whom a complaint of this kind is made may stay

further proceedings at his discretion; but if he does so he must, within a limited period, give in writing his reasons for so doing. Otherwise he must pass the case on to the Court of the Dean of Arches, a civil tribunal which was created by the Act of 1874 for the trial of these causes. The judge or dean of this court may hear the case either in the particular diocese in which the offence was committed, or in London; and for punishment he may suspend the offender from ecclesiastical acts until he declares his willingness to obey. After an interval, if the offender is still refractory, he may be imprisoned for a term and the living sequestered. From the Court of the Dean of Arches there is an appeal to the Judicial Committee of the Privy Council.

The intention of the Act was to deal principally with offences against ritual. All the proceedings under it have been aimed at High Church practices; but as the Ritualists have persistently denied the authority of a civil court to deal with ecclesiastical offences, and have gone to prison rather than make submission to it, little satisfaction has resulted from the legislation of 1874. In cases of alleged neglect of duty, charges made by parishioners against clergymen, not affecting the ritual, nor rendering the clergyman liable to prosecution in the ordinary criminal courts, the bishop of the diocese has power to appoint a commission of inquiry. This commission hears evidence like an ordinary court, and reports its finding to the bishop, who can suspend a clergyman against whom charges sufficiently serious are proved.

The responsibilities of an incumbent towards his parishioners are well defined. Any resident of his parish can call for his services in time of sickness, for a baptism, a marriage, or a funeral; and any parishioner can demand the administration of the rite of Holy Communion. If a clergyman denies a parishioner Communion, he can be cited before a court of law, and compelled to state his reasons for the refusal. If these are deemed inadequate by the court, the parishioner can recover damages from the clergyman. In matters of this kind the law does not recognize dissent, but regards a clergyman of the Church of England as the spiritual servant of all who may be living within the area of his parish.

CHAPTER X.

THE MILITARY, NAVAL, AND CIVIL SERVICES.

The Army and the Reserve Forces. — All Military Service Voluntary. — Parliament and the Army. — Short Service System. — Pay of a Private Soldier. — Officers and their Commissions. — The Militia. — Militia Officers. — The Yeomanry Cavalry. — Popular Idea of a Yeomanry Troop. — The Volunteer Force. — Nature of Volunteer Service. — Royal Navy. — Relations of Navy to Parliament. — Civil Service. — Competitive Examinations and Security of Tenure. — Higher and Lower Divisions. — Nonpartisan Character of the Service. — Pensions. — Women in the Post-office.

THE military forces of England are divided into two classes, the army and the reserve forces. In the reserve forces are included the Army Reserve, the Militia, the Yeomanry, and the Volunteers. Service in all of them is entirely voluntary. There is now nothing in England in the nature of conscription or forced military service. Under the old Militia Act, which dates from 1760, and under its earlier amending Acts, all men not suffering from bodily infirmities, and not specially exempted, are liable to be drawn by ballot for the militia, and to serve either personally or by substitute. At the present time few Englishmen are aware of the existence of these old laws. Nowadays the militia is recruited by voluntary enlistment, like the regular army; but the Militia Act is only suspended from year to year, and if voluntary enlistment proved insufficient, by simply

omitting to pass the Annual Suspension Act the Militia Act might come again into operation. It is generations since there was any balloting for militiamen; and since the days when the press-gang ceased to be an institution, all service in the Crown forces, whether military or naval, has been voluntary.

The army, as the law now stands, could not remain in existence more than a year without the sanction of Parliament. This sanction is given every year. Parliament, early in each session, passes "an Act to provide during twelve months for the discipline and regulation of the army;" and it also fixes the number of officers and men, and votes the money for their maintenance. Each year Parliament settles the maximum strength of the army; but as a general thing, the actual number of men in the service is rather less than the number thus voted. It varies according to the number of men who are discharged on completing their terms of service, and the number of recruits who offer themselves and after examination are passed into the ranks. In 1892 the total strength of the regular army, including cavalry, infantry, artillery, and engineers, was 210,688, of whom 72,486 men were in India, 37,141 in the colonies, and 107,061 in England, Scotland, and Ireland. These figures are, of course, only for a particular year; but there is not much variation in the total strength, and the proportionate distribution of the forces in India, in the colonies, and in the United Kingdom is usually about the same.

Up to 1873 men were enlisted in the army for a

period of twenty-one years, and at the end of that time were discharged with a pension. In 1873 what is known as the short service system was introduced. Under this arrangement men may now enlist either for twenty-one years or for twelve years. When they enlist for twelve years the men spend eight years with their regiments, and are then passed into the army reserves for the remaining four years of their term. Under the short service system the army requires about 33,000 recruits every year. The reserve into which the eight years' service men pass usually stands at a numerical strength of about 25,000.

The pay of a private soldier is one shilling and twopence a day; and after all stoppages have been made, it averages about four shillings and sixpence a week. These stoppages are made for extra food allowances, such as vegetables and groceries, for clothing, and for washing. The pay of non-commissioned officers — that is, of men promoted from the ranks — ranges from two shillings per day, received by a lance-sergeant in an infantry regiment, to five shillings and tenpence received by a regimental sergeant-major in the Household Cavalry, — the *élite* of the mounted corps. A soldier ceases to be of the rank and file, and enters the non-commissioned ranks, as soon as he becomes a lance-sergeant. His first step upwards is his promotion to the rank of a corporal; and the popular idea of the Army is that a well-conducted man may expect to become a corporal after two or three years' service. When a soldier

goes into the reserve, he receives fourpence a day. He has no military duties to discharge during this period unless the reserves are called out; the payment he receives is for holding himself in readiness.

Noncommissioned officers, such as corporals, sergeants, and sergeant-majors, are drawn from the ranks. All commissioned officers are appointed after competitive examination. Except in the case of officers of the higher ranks, the pay that officers receive from the War Office is not sufficient to maintain them in the style which, according to the social traditions of most regiments, they are expected to keep up.

The militia is a local force, the men in each regiment being recruited in the division of the county in which the regiment has its depot. Until 1871 the militia regiments were under the command of the lord-lieutenants of the counties; in that year the control of the force was transferred to the Secretary of State for War, and the militia is now in organic connection with the regular army. The militia can be employed only within the country. It is called out for training for a period not exceeding fifty-six days in the course of the year, as the authorities may determine. The rank and file, who enlist for six years, are recruited in much the same way as men are recruited for the regular army, and their daily rate of pay is about the same. Occasionally, when the men are assembled for training, they live under canvas; but with most regiments the training takes place at the depots in the county

towns; and the men are billeted among the townspeople, who receive them voluntarily, and are paid for receiving them as they would be for any other lodgers. While the regiment is under training discipline is strict, and desertion and breaches of discipline are punished almost as sharply as in the regular army. The officers of the militia are usually landed proprietors and sons of landed proprietors in the county. Their commissions are obtained after examinations, but in the issuing of commissions preference is given to gentlemen who are recommended or nominated by the lord-lieutenants. The militia reserve consists of men serving in the militia who have accepted extra bounties to hold themselves in readiness to serve abroad, if need be, with the regular army.

The Yeomanry Cavalry is a volunteer force which came into existence at the time of the French Revolution. It consists now, as it always has done, of landed proprietors and their larger tenants. In some parts of England the land-owners make it an express condition on leasing a farm that the tenant shall become a member of the yeomanry troop attached to their estates. Other landlords compromise the matter by compelling a farmer to send one of his hired men, suitably mounted, to the annual training. The training usually lasts about two weeks.

In days gone by, when farming lands were in great demand and landlords were able to hold out for high terms, and impose almost any conditions

they liked, the yeomanry was a much more imposing force than at the present time. In the early years of the century, before the county constabulary was organized, and before each municipal borough had its own police force, the yeomanry were sometimes called out to quell rioters and keep the peace in times of intense political excitement or industrial unrest. About the last service of this kind they discharged was in 1819, when the Lancashire yeomanry were called out on the occasion of a great political demonstration in Manchester. A collision occurred between the people and the troops, which resulted in the loss of six lives from sabre wounds by the horsemen.

In 1892 the force numbered about 11,000 officers and men. For some years, however, it has been regarded as of little account by military men; and popularly a yeomanry troop has come to be looked upon as a toy or fad existing principally to minister to the pride and the territorial importance of a large landed proprietor. When times were good, farmers did not object to the picnic element and frolic which enter largely into the annual training. Of late years, however, they have been objecting to the expense, and there has been a decline in the strength of the force.

The Volunteer Force, as now organized, dates from 1859, and was called into existence by the likelihood of an outbreak of war between England and France. In the first year of its organization the number of men enrolled was about 119,000; in 1893, in round

figures, the number was 225,000. An apprehended invasion constitutes a sufficient reason for the Sovereign to call out the volunteers. According to the Act of Parliament governing the administration of the force, the apprehension of invasion must be first communicated to Parliament, or if Parliament is not sitting, declared by the Queen in Council and notified by proclamation. Volunteers are then bound to serve in Great Britain until released by proclamation declaring the occasion for calling them out to be at an end. In the event of the volunteers being thus called out, they receive pay on the army scale; at other times their services are given voluntarily.

Almost every town in England has its volunteer corps. If a town is not large enough to raise and maintain a battalion, it raises and maintains a company. The members of the company meet regularly for drill; and for marches, parades, and field exercises form part of the battalion in the nearest large town. The members of the volunteer corps enroll themselves for three years, and are compelled to put in sufficient time at the drill-hall, on the parade-ground, and at the rifle-butts to make themselves efficients, and pass the annual inspection before an officer from the War Department. Each man who thus makes himself efficient earns for his corps a Government grant of £3 8*s.* 6*d.* The aggregate sum so earned goes to the maintenance of the corps. It is not usually sufficient to defray all the expenses of clothing, accoutrements, ammunition, and establishment charges, the balance being made up by sub-

scriptions from the officers and from outside friends of the corps.

Each corps has its depot and its permanent staff, the latter consisting of an adjutant and one or more sergeant-instructors. These officers are men who have served in the regular army. The drill-hall and other property belonging to the corps are vested in the commanding officer, and the corps generally is administered by a committee of officers under rules drawn up by the War Office. The rank and file are largely composed of clerks and artisans. The officers are drawn from the ranks of the professional and manufacturing classes. No pay attaches to a volunteer officer's commission, and a man must be in fairly good circumstances to meet the calls made upon him when he accepts an officer's commission in a volunteer corps. Discipline is far less strict than it is in the militia, and in most towns a good deal of social life centres round the volunteer corps.

Seamen and marines for the Royal Navy are enlisted in much the same way as soldiers, except that marines are enlisted under the old long service system, and that a large number of seamen are drawn from the training-ships for boys, which are in commission in the neighborhood of most of the large seaports. The officers are educated on training-ships, and receive their commissions after competitive examination. The relation of the navy to Parliament is somewhat different from that of the army. The navy is a perpetual establishment, not dependent upon an Annual Act like the army. As,

however, the House of Commons votes the wages for officers and men, it practically has almost as much control over the naval forces as over the army.

In 1893 the total number of men engaged in the naval service was 98,000. These figures included a naval reserve of about 22,000 men, and also a small force of naval artillery volunteers. The pay of seamen in the Royal Navy ranges from one shilling and threepence a day for ordinary seamen to eight shillings and threepence a day received by the non-commissioned officers.

Competitive examinations for entry, security of tenure when once admitted, and pensions on retirement, are the characteristic features of the English Civil Service; and with but two or three minor exceptions, these conditions apply to clerkships and appointments in all the State Departments. The theory of the Civil Service is similar to that of the army, a commissioned class of highly-educated men for superintendence and more important work, and a non-commissioned rank and file of less education for the routine work; with occasional promotion from the rank and file to the commissioned class.

The permanent Civil Service consists of a First and a Second Division, each division recruited entirely by open competition. There are, however, in addition to the examinations for these two divisions,—the divisions which carry on the general clerical work of the Departments,—special examinations for Indian, Consular, and Technical posts, and also direct appointments of experts from the outside. The

Indian Civil Service is recruited in London ; natives of India are eligible for appointment, but with a view to restricting the number of Indian candidates, all examinations are held in London.

Every Civil Servant on the permanent staff must hold a certificate from the Civil Service Commission. These certificates are issued after success in the various competitive examinations, combined with a satisfactory medical certificate and testimonials as to general fitness and respectability from two householders.

In the First Division of the Service, successful candidates are appointed to the most desirable offices —where promotion is supposed to be quickest and the work most congenial,— according to their place on the examination list. In the Second Division, the successful candidates at the examinations are permitted to choose the department in which they will serve, and as far as it is possible their wishes are observed. Neither at the examinations, nor at any time during service, is any question raised concerning the political opinions of a civil servant ; and it is never a matter of the least importance to him whether a Conservative or a Liberal Administration is in power.

Examinations for Civil Service candidates are held simultaneously at various centres in England, Scotland, and Ireland. These examinations date from 1870. Prior to that time there was but one class of appointments, made by nomination, qualified by an easy examination. In 1870, however, open competi-

tion was introduced. The salaries of the successful candidates then commenced at £100, and were increased by £10 annually until a salary of £400 was reached. In 1876, after an inquiry by a commission of which Lord Playfair was the chairman, two divisions were established in the Service. In the upper division, for a six or a seven hours' day, salaries commenced at £100 or £150 respectively, and were advanced every three years by £37 10*s*. In the lower division salaries commenced at £80 or £95, according to the length of the working-day, and were raised triennially by £15 to £200 and £250 respectively. In addition, for special posts, there was an extra duty pay of £200 in the higher division.

A few years later there was another Civil Service inquiry, presided over by Sir Matthew White Ridley; and as a result of this commission, in 1890, the Service was reconstituted into First and Second Divisions, duty pay was abolished, and in all offices a seven hours' day was made the rule.

In the First Division the age limit of candidates is from twenty-two to twenty-four. The commencing salary is £100 a year; and it is increased annually by £12 10*s*. to £400, and for special merit by £20 to £600, and thence to the higher staff positions. In the examinations for this Division the candidates, who are nearly all University men, may select from the following subjects: English Composition, including précis-writing; History of England, including Laws and Constitution; English Literature; Language, Literature, and History of Greece, Rome,

France, Germany, and Italy; Mathematics, pure and mixed; Natural Sciences, Chemistry, Electricity, Magnetism, Geology, and Mineralogy; Mental Science, Logic, and Mental and Moral Philosophy; Jurisprudence and Political Economy.

In the Second Division the age limit is from seventeen to twenty. Salaries commence at £75, and are increased by £5 annually until £100 is reached; and from £100 the increase is at the rate of £7 10*s.* per annum, until £190 is reached. There is an upper grade in the Second Division in which by special merit increments of £10 are earned until £350 is reached. The examinations for candidates include Handwriting, Orthography, Arithmetic, Copying Manuscript, English Composition, English History and Geography, Indexing or Docketing, Digesting Returns into Summaries, and Book-keeping. A Second Division clerk may be promoted to the First Division after not less than eight years' service. Such promotion, however, is not frequent.

In addition to the First and Second Divisions, there are also what are known as Boy-Clerkships, for which the age limit is from fifteen to seventeen. These clerks receive in the first year a salary of 14*s.* a week, which is advanced by one shilling a week annually until 19*s.* is reached. When the boy-clerks attain the age of twenty, they are discharged. Facilities are, however, offered them to enter the Second Division. A number of appointments, not exceeding one-fourth of the number of boy-clerk competitors, is reserved for them when the Second

Division examinations are held. For these boy-clerkships candidates have to pass an examination in Handwriting, Orthography, Arithmetic, English Composition and Geography, and Copying Manuscript.

On reaching the age of sixty, civil servants may retire. They are then granted retiring allowances, the amount of which is regulated by the number of years' service and the salary received. The maximum pension is two-thirds of the salary at the date of retirement. Retirement at sixty is optional; a civil servant may elect to continue at work until he is sixty-five, but when he reaches that age he is superannuated. In exceptional cases, where further services are deemed good for the State, a civil servant may remain until he is seventy; but in this case a certificate of efficiency must be granted annually by the Treasury, the State Department which controls the Civil Service. If a civil servant breaks down in health before the age of sixty, he is granted a pension which is reckoned on the basis of his income, counting one-sixtieth for each year that he has served.

The inspectors who are of the Factory Acts Department of the Home Office are drawn from the same ranks as the members of the First Division of the Civil Service; so also are the inspectors of schools associated with the Department of Education. In each of these Departments there are assistant inspectors, who rank about equal with the members of the Second Division of Civil Servants. The assistant inspectors of schools are drawn from

the ranks of schoolmasters under the Elementary Education Act, and are paid salaries ranging from £180 to £250 a year.

The assistant factory inspectors are recruited from the artisan class. Their pay is not as high as that of assistant inspectors under the Education Acts. It commences at £100 a year and goes up to £150. For these assistant inspectorships a nomination from the Home Office is necessary; and candidates so nominated must pass an examination in handwriting, spelling, and arithmetic, and give evidence of a general knowledge of the laws relating to workshops and factories. Each candidate also must be able to write a simple report of a practical character on a given subject connected with workshops. This lower grade of factory inspectors dates from 1893, when the Home Office, with a view to a more strict and uniform enforcement of the factory laws, rearranged the Factory Acts Department, and established centres in connection with it, each under the superintendence of a Chief Inspector, in all industrial districts. In 1893, several women inspectors were also appointed.

Women are not admissible as candidates for any of the divisions of the Civil Service which have so far been described. The Post-office and the Telegraph Service are the only Departments in which their services are accepted.

The clerical work of all the State Departments is discharged by members of the First and Second Divisions of the Civil Service. The secretarial work of the Post-office and the Telegraphic Depart-

ments is also in their hands. For the actual work of these two Departments — for the business of handling and transmitting the mails, for that of the money order and savings bank departments, and the parcels post, as well as for the telegraph department — there are other and distinct classes of civil servants. Although these services are popularly regarded as ranking below the ordinary Civil Service, the same general conditions exist. Sorters in the Post-offices are appointed after competitive examination; so are the women clerks; and so are the men and women telegraph operators. In each of these departments superannuation allowances are granted on retirement, and in each of them a man or woman holds his or her appointment during good behavior.

The government took over the telegraphs from the private companies in 1868, and as soon as possible the new department was organized on a Civil Service basis. Men and women are employed at the telegraph instruments. In London and the other large centres there are Government schools for training telegraph clerks. Candidates for these positions have to pass competitive examinations in which the subjects are very similar to those in the examinations for boy-clerkships. Special importance, however, is attached to a candidate's proficiency in dictation and geography. After success at the examination the candidate is classed as a telegraph learner, and receives a small salary while he is attending the telegraph school. He remains there about a year; and then, if the school he is attending

is the one in London, he is sent to the central office at St. Martins-le-Grand. The staff there is divided into three classes: the Second, in which the salaries begin at £35 a year and rise by increments of £5 a year until £100 is reached; the First Class, in which the salaries begin at £110 and rise by increments of £6 a year until £160 is reached; and the Senior Class, in which the salaries commence at £160 and are advanced to £190 by annual increments of £8. From the Senior Class the divisional superintendents are appointed, and in the superintendent's division salaries range from £250 to £400.

From the First Class, promotion to the Senior Class is but slow, as it is dependent upon vacancies through death or superannuation or promotion to superintendentships. Retirement is compulsory at the age of sixty, when the maximum retiring allowance is two-thirds of the salary. In the telegraphic service in the provincial towns there are two classes of telegraph clerks. In one the maximum salary is £1 8*s*. 6*d*. a week; in the other the salaries commence at £2 a week. In the postal service, letter carriers in London receive from £1 to £1 16*s*. a week. In the provinces the pay is much less. In country districts, where the letter carriers do not give all their time to the work, it ranges from 12*s*. to 16*s*. a week. In the larger provincial towns the pay is from £1 to 25*s*. or 27*s*. a week. Free daily deliveries are general all over the country. An eight hours' working-day is the rule in all the departments of the postal and telegraph service.

CHAPTER XI.

LABOR LEGISLATION.

Home Office and the Administration of Labor Legislation. — The First Factory Act. — An Old-time Working-day for Children. — A Saturday Half-holiday Three-quarters of a Century Ago. — The First Mines Regulation Act. — Women prohibited from working Underground. — Employment of Women Above Ground. — Half-time System for Children introduced. — The Age of commencing Work advanced from Ten to Eleven. — Indirect Interference with the Hours of Labor of Adult Males. — Protection to Health, Limbs, and Pocket. — Sanitary Laws, Truck Acts, Check-weighmen at Collieries and Weavers' Particulars. — Legal Relations of Employers and Employed. — The Harshness of the Old Labor Laws. — Employers and Employed Now on a Level before the Law. — Employers' Liability for Accidents; the Acts of 1880 and 1893. — The House of Lords' Inquiry into the Sweating System. — The Government Departments and the Municipal Authorities adopt Contract Forms which regulate Subcontracting. —The Reform Acts of 1884 and 1885 and Labor Politics.

ALL labor laws in England, whether relating to factories and workshops or to mines, are administered under the supervision of the Home Office. The Factory and Workshop Act of 1878 is now the basis of all legislation affecting factories; for by this measure were repealed or consolidated the numerous Factory Acts which had been passed by Parliament since the commencement of the century.

The first of these dates from 1802. It was passed at the time the factory system was beginning to develop itself in the cotton and woollen districts of Lancashire and Yorkshire, and was intended solely for

the protection of the legally-bound apprentices who were lodged and boarded by the factory masters. These children were largely drawn from the workhouses of the southern counties of England, and before the Health and Morals Act of 1802 their condition was little better than that of slaves. Under this measure their employers were prevented from working them for more than twelve hours a day, and were compelled to clothe, board, and lodge them in something like a decent manner.

In 1819 another Act of Parliament was passed, fixing the minimum age at which children could be employed in the factories at nine years, and prohibiting the employment of children between the age of nine and sixteen for more than twelve hours a day. This second Act was intended for the protection of children living with their parents in the neighborhood of the mills, as the Act of 1802 applied only to children who were bound apprentices with the factory masters. Up to 1819 there was no legal protection for children who were not apprentices.

In 1825 another measure was passed in the interest of children engaged in the mills. It secured them a working-day of nine hours, instead of twelve, on Saturdays, and prohibited their employment during meal hours. The administration of all these early factory laws was intrusted to the local magistrates, who were empowered to appoint visitors to the mills, and otherwise to watch the interests of the child workers. In 1833, in the first Parliament elected after the Reform Act, another measure was

passed under which the Crown, and not the local magistrates as hitherto, appointed the factory inspectors. In this measure there was also introduced a distinction between children and young persons which has been continued in all subsequent factory legislation. The word child was defined as any person between the ages of nine and thirteen years, while the term "young person" was defined as meaning any one between the ages of thirteen and eighteen. Up to this time the law had allowed children to work twelve hours a day five days a week, and nine hours on the sixth. Under the Act of 1833 they were prohibited from working more than nine hours a day, and their employers were required to compel them to attend school during at least two hours a day. Parliament about this time was beginning to make annual grants in aid of elementary day schools; but this provision as to attendance at school, in the Factory Act of 1833, was not due to any great zeal for education. What was aimed at was some arrangement which should provide that the children should be somewhere else than in the mills during two hours of every day.

In 1842 an Act relating to coal-mines was passed. It provided for the appointment of inspectors of mines, and prohibited the employment below ground of women and of boys under ten years of age. Women and children had hitherto been employed in and about mines. The Act of 1842 put a stop to the employment of women below ground, but left it open to them to work on the pit-bank. For some years in

all the northern counties, women continued to work on the pit-heads. Gradually, however, the number so engaged decreased, until at the present time women are not to be found at work on the pit-heads except in the mining district of South-west Lancashire. In recent years the miners' unions have agitated against the employment of women in this work, and deputations have repeatedly urged upon the Home Office that their employment should be prohibited. The women themselves, however, have put their views of the matter before the Home Office, and have contended that the work in which they are engaged about the pits is quite as suitable and as healthy as field-work, in which women are largely employed in the agricultural districts of England. So far no attempt has been made by Parliament to interfere with them, and at the present time there are some 4,500 women and girls at work on the pit-heads in the neighborhoods of Wigan and St. Helens.

The next Act of Parliament further restricting the hours of labor for children was passed in 1844. It reduced their working-day to five and a half hours, and introduced what has since been known as the half-time system, under which children are engaged in the mills for half the day, and spend the other half at school. All these factory laws apply to the whole of England; but it is only in the manufacturing districts of Lancashire, Yorkshire, Cheshire, Staffordshire, Leicestershire, and Nottinghamshire that the system is at all general. In 1893 there were 172,000 half-time children on the school regis-

ters of England. Of this number nearly 94,000 were in Lancashire. In London there were less than 700 half-timers, while for the twelve counties in Wales the total number was only 125.

Until 1867 the Factory Acts did not apply to workshops. In that year an Act was passed applicable to workshops, and the administration of this particular law was intrusted to the town councils and similar local authorities. The Act soon became a dead-letter, as only a few of the town councils attempted to enforce it. In 1871 the law was amended, and the duties of enforcing it were taken from the town councils and placed upon the Home Office.

In 1878 the consolidation of the laws passed in the preceding three-quarters of a century took place, and a number of new provisions were introduced. One of these fixed the working-week for children engaged in textile factories at fifty-six and a half hours, and for children engaged in non-textile industries at sixty hours; while another clause in the new Act prohibited the employment of children under ten years of age. This provision of the Act of 1878 remained in force until 1891, when the age at which a child can commence work as a half-timer was raised to eleven. This advancement in the age was due to the efforts of a private member of the House of Commons, Mr. Sidney Buxton, and was brought about in a bill for amending in several particulars the Act of 1878. When the bill, which was a Government measure, was before a Grand Committee, the Government defeated an amendment raising the age

from ten to eleven. The amendment, however, was again brought forward when the bill came before the House of Commons itself, and was carried in spite of the efforts of the Government to bring about its rejection a second time. In the same amending Act an extension was made of the period during which women are to remain away from the mills at childbirth. Under an Act dealing with this matter, passed in 1874, the period was fixed at a month; it was extended to six weeks by the Act passed in 1891.

All the factory legislation passed between 1802 and 1891, in so far as it directly restricts the hours of labor, is applicable only to children, young persons, and women. Until 1893 no Act of Parliament had been passed directly interfering with adult male labor; but the indirect effect of much of the legislation applicable to women and children has been to limit the working hours of men.

The first legislation directly interfering with the hours of men's labor received the Royal Assent at the end of July, 1893. It was a Government measure; it is entitled the Railway Servants' Hours of Labor Act, and was passed on the recommendation of the Select Committee of the House of Commons which, in the session of 1891, inquired into the allegations as to overworking of railway servants. The Act is designed to enable any servant, or any class of servants of railway companies, except those wholly employed either in clerical work or in the companies' workshops, to make complaints to the Board of Trade that their hours of labor (1) are excessive;

(2) or do not provide sufficient intervals of uninterrupted rest; (3) or sufficient relief from Sunday duty; and to empower the Board of Trade to inquire into such representation on the part of such servants.

When satisfied that there is a reasonable cause of complaint, the Board shall order a railway company to submit within a specified period a schedule of time for the duty of the servant interested, so framed as, in the opinion of the Board, to bring the actual hours within reasonable limits, regard being had to the circumstances of the traffic, and the nature of the work performed. Should any railway company fail to submit the required schedule, or fail to enforce the provisions of any approved schedule, the Board may refer the matter to the Railway and Canal Commissioners, who shall have jurisdiction in the case. The Board of Trade may appear in the Commissioners' Court in support of the reference. The Commissioners may then order the company to submit to them within a specified time such a schedule as will in their opinion bring the actual hours of work within reasonable limits. On failure to render the schedule, or to enforce its provisions when approved, the company shall be liable to a fine not exceeding one hundred pounds for every day during which such default continues. A report of all proceedings under the Act is to be made annually to Parliament by the Board of Trade.

In the various Factory Acts, and in the Mines Regulation Acts, there are a number of clauses intended to protect the health, the limbs, and the

pockets of adult males. As regards health, there are numerous sanitary provisions in the Factory Acts; and by a measure passed in 1891, extending the application of the Alkali Works Regulation Act, the Home Secretary has power to draw up stringent regulations applicable to men who are engaged in dangerous and unhealthy occupations, in connection with twelve or thirteen branches of the chemical industry. The Mines Regulation Acts also contain clauses dealing with the use of naked lights, with the firing of shots, with ventilation, and with the winding machinery; and in the 1886–92 Parliament an important addition was made to these precautionary provisions, by a measure which prohibited the employment of unskilled laborers at the face of the coal.

As regards protection to the pockets of adult males, the Truck Acts were passed to that end, in order to prevent workmen being compelled to purchase supplies at shops and stores owned by persons for whom they were working. In the Mines Regulation Acts also, a clearly defined legal position is given to the check-weighman, whose duty it is to see that all coal sent out of the mine is fairly weighed and credited to the miner by whom it has been hewn. The check-weighman is appointed by the men at each coal-pit, and paid by them. The law gives him a recognized position on the pit-head, and a mine-owner who has any complaint to make against a check-weighman can secure his removal only after the case against him has been investigated by the local magistrates in open court.

Cotton weavers are also protected by a law passed in 1891, which compels their employers to furnish them with certain particulars in order that they may correctly measure up and charge for the cloth on which they have been engaged. An Act of Parliament passed in the same year empowers the making of regulations by the Home Office as to the amount of steam and moisture to be admitted into a weaving-shed, and to carry out the provisions of these measures, special inspectors were added to the Home Office staff.

During the last thirty years a number of laws have also been passed dealing with relationships between employers and employed, both as to breaches of contract and as to liability for accidents. As concerns breaches of contract, until 1867 the law was all on the side of the employer, and was, in fact, a relic of the days when there was little or no freedom of contract on the part of the employed. A breach of contract on the part of a workman rendered him liable to prosecution before the local magistrates, and to a term of imprisonment not exceeding three months in the house of correction. Imprisonment was abolished by the Masters and Servants Act of 1867, and fines were substituted.

By the Employers and Workmen's Act of 1875, legal proceedings between employers and employed arising out of breaches of contract were entirely divested of the penal character which had hitherto attached to them, and took the form of civil suits for the recovery of damages. These cases can now

be tried either before the magistrates in the police court or before a judge of a county court, as suits the convenience of the person bringing them. In either court the costs are small; and when damages are recovered, failure to pay them is followed by imprisonment only when there is proof of ability and of neglect to pay. It has been claimed for the Act of 1875, that for the first time in English history it placed employers and employed on the same level before the law.

The first Employers' Liability Act was passed in 1880. It was intended to meet the conditions which had sprung up in consequence of the changes in the industrial world due to the growth and increase of corporations employing large numbers of workmen.

The Act provides that "where personal injury is caused to a workman, (1) By reason of any defect in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer; or (2) By reason of the negligence of any person in the service of the employer, who has any superintendence intrusted to him, whilst in the exercise of such superintendence; or (3) By reason of the negligence of any person in the service of the employer to whose orders or directions the workman at the time of the injury was bound to conform and did conform, where such injuries resulted from his having so conformed; or (4) By reason of the act or omission of any person in the service of the employer, done or made in obedience to the rules or

by-laws of the employer, or in obedience to particular instructions given by any person delegated with the authority of the employer in that behalf; or (5) By reason of the negligence of any person in the service of the employer who has the control of any signal-post, locomotive engine, or train upon a railway, — the workman, or, in case the injury results in death, the legal personal representatives of the workman and any persons entitled in case of death, shall have the same right of compensation and remedies against the employer as if the workman had not been a workman of, nor in the service of, the employer nor engaged in his work."

It is provided in the Act, however, that there shall be no recovery of damages under the first of the subsections quoted, unless the defect therein mentioned arose from, or had not been discovered or remedied owing to, the negligence of the employer or of some person in the service of the employer, and intrusted by him with the duty of seeing that the ways, works, machinery, or plant were in proper condition; nor under subsection four, unless the injury resulted from some impropriety or defects in the rules, by-laws, or instructions therein mentioned; nor in any case where the workman knew of the defect or negligence which caused the injury, and failed within a reasonable time to give, or cause to be given, information thereof to the employer or to some person superior to himself in the service of the employer, unless he was aware that the employer or such superior knew of the said defect or negligence.

As a result of the Act of 1880 most of the large employers — the railway companies, and the companies owning mines and ironworks — established insurance systems for their workpeople, and induced them by the offer of the insurance equivalent, to sign contracts putting themselves outside the working of the Employers' Liability Act. In the session of 1893, however, the Act of 1880 was overhauled by a Grand Committee of the House of Commons, and an amending bill was reported to the House making numerous changes and extensions all in favor of the workman. Among the more important of the new provisions was one prohibiting workmen from contracting themselves out of the law.[1]

The foregoing sketch of labor legislation summarizes the important laws affecting labor in England which have been passed since the Health and Morals Act of 1802. It would not be complete, however, without some reference to the proceedings of a Select Committee of the House of Lords, which in the sessions of 1889 and 1890 made an investigation of the sweating system. The Committee heard witnesses from London and all the large towns. All the evidence was interesting; some of it cannot be described as other than startling. It was published at

[1] The third reading of this bill was pending in the House of Commons at the time these pages were in the press. Great pressure was brought to bear on the Government to induce them so to amend the bill as to make the law still permissive; but just before the adjournment in September, 1893, it was announced from the Treasury Bench that the Government intended to proceed with the bill in the winter session and would adhere to its compulsory clauses.

great length in the newspapers, and aroused much popular interest. As a result of the investigations of the Committee, a number of amendments were made to the Factory Acts by the Amending Act of 1891, and increased provision was made for the inspection of the smaller workshops, in which tailoring, slop-work, and the making of cheap shoes and slippers, are carried on. These amendments were important in their way, and promise to work well; but the most important result of the popular uprising against the sweating system is to be seen in the amended forms of contract which have come into use in connection with tendering for work of all kinds paid for out of the Imperial or the municipal treasuries. In the forms now in use by the Treasury Department at Whitehall, by the London County Council, and the London School Board, and by most of the large municipalities, subcontracting is strictly regulated with a view to preventing sweating; and in many of the forms, although trade-union labor is not stipulated for, trade-union rates of pay are insisted upon. Contract forms with these stipulations date from the time of the Sweating Inquiry by the Select Committee of the House of Lords; and their adoption has been greatly extended by the appearance of labor members in Parliament and labor representatives on town councils, school boards, and boards of guardians, which has been a feature in English politics since the Parliamentary Reform Acts of 1884 and 1885.

The first resolution embodying the new policy of

the Government towards employers and employed engaged on work paid for out of the Imperial Treasury, was adopted in the House of Commons in February, 1891. It was proposed by Mr. David Plunket, who was First Commissioner of Works in Lord Salisbury's Administration. "In the opinion of this House," it reads, "it is the duty of the Government, in all Government contracts, to make provision against the evils which have recently been disclosed before the House of Lords' Sweating Committee, and to insert such conditions as may prevent the abuses arising from sub-letting, and make every effort to secure the payment of the rate of wages generally accepted as current for a competent workman in his trade." The resolution was adopted by the House of Commons without a division.

About two years later, in December, 1892, another equally significant action in regard to employers and employed was taken by Mr. Shaw-Lefevre, who, when Mr. Gladstone's Administration succeeded that of Lord Salisbury, became Mr. Plunket's successor in the office of First Commissioner of Works. The Office of Works had taken over an old prison at Millbank from the Prisons Department of the Home Office, and was about to clear the site, and prepare it for new buildings. As is the custom, the old materials of the prison were offered for sale at public auction. In the conditions of sale there was a clause which was new in Government documents of this kind. It was inserted by the First Commissioner of Works, and was to the effect that the pur-

chaser of the prison would be required to pay a wage of not less than sixpenny halfpenny an hour to all men he might employ in tearing down and clearing away the old building. If the purchaser failed to do this, it was stipulated in the conditions of sale that the Office of Works would put in force a clause under the operation of which the purchaser would forfeit the deposit money made at the time of sale, and all rights to the buildings bought. Unskilled labor is largely employed in work of this kind. From the time of the Dock Strike in 1889, sixpence an hour has been regarded as a fair rate of wages for unskilled laborers in London.

Nor are these two instances the only ones in which the Government have made concessions to the new attitude towards labor, which dates from the Sweating Inquiry by the Committee of the House of Lords, over which Lord Dunraven presided. Early in the session of 1893, Sir John Gorst, who was Under-Secretary for the Colonies in the preceding Conservative Administration, and one of the representatives of England at the Labor Conference in Berlin, in 1890, moved in the House of Commons, a resolution concerning the treatment of artisans and laborers in the employment of the Government. The resolution set out "that no person should, in Her Majesty's Naval Establishments, be engaged at wages insufficient for a proper maintenance, and that the conditions of labor as regards hours, wages, insurance against accidents, and provisions for old age, should be such as to afford an example to private employers

throughout the country." The House of Commons did not go to a vote on this resolution. It was announced from the Treasury Bench that the Government were not able to close their eyes to the change which had of recent years come over public opinion in England in the matter of the relationships of employers and employed; that the Government had "ceased to believe in competition wages," and would frame their contracts accordingly.

Later on in the same session of Parliament, some official correspondence was published which showed that the Government were acting upon the resolution passed by the House of Commons in February, 1891. The letters were from the Admiralty, and were addressed to contractors engaged on public works at Portsmouth. In one of these communications, the contractors were told that as they were paying their men less than the rate of wages current in Portsmouth, they must either advance the wages or submit to the removal of their names from the list of Admiralty contractors.

CHAPTER XII.

THE LAND AND ITS OWNERS.

The Land held by Few Owners. — Entail. — Leases. — Yearly Tenancies. — Compensation for Improvements. — Mining Royalties and Way-Leaves — Copyhold. — Common Land. — Allotments. — Small Holdings. — Peasant Proprietors of the Fenlands. — Game Laws. — Privileges attaching to Large Estates. — Voting with the Landlord. — Decline of Landlords' Power in Politics and Local Government. — Privileges still remaining to Owners of Large Estates.

THE most important fact concerning English land is the comparatively small number of persons by whom it is held. Figures from the Doomsday Book, published in 1875, show that the total area of the United Kingdom is 77,635,301 acres, of which at that time 47,527,000 acres were classed as land which could be cultivated. If the owners of plots of land of less than one acre in extent are excluded, the remaining lands were held: —

One-quarter by 1,200 persons, whose average holdings were 16,200 acres;

One-quarter by 6,200 persons, whose average holdings were 3,150 acres;

One-quarter by 50,770 persons, whose average holdings were 380 acres; and

One-quarter by 261,830 persons, whose average holdings were 70 acres.

One-half of the entire area was thus held by 7,400

persons, and the other half by 312,600 persons. In the first division of owners, there were 600 peers who, among them, were the holders of one-fifth of the total area of the United Kingdom.

Most of these great estates are held under what is called strict settlement, or entail, — a system in its modern form dating from the time of the Civil War. It was devised by two Royalist lawyers, named Palmer and Bridgman, with the intention of protecting the estates of the defeated Royalists from fines and forfeiture at the hands of the victorious Parliamentarians. The writers of legal text-books have questioned the validity of these settlements as they were first drawn up; but after the Commonwealth, Orlando Bridgman, one of the Royalist conveyancers, became Lord Keeper, and was careful to give validity to the form of settlement which he had helped to draw up, in order to protect his Royalist friends.

Under the system of settlement which was then introduced, — or at any rate revised, for the same plan had been unsuccessfully adopted at the time of the Wars of the Roses, — the head of a territorial family was made tenant for life, and his descendants were made succeeding tenants in tail. When once this system of settlement had become legalized, the landed families discovered other advantages in connection with it; and ever since the Restoration it has been in general use, to uphold the territorial and social privileges and dignities of the aristocracy. Each succeeding head of a family makes a settlement which is binding upon himself and his successor; trustees are

appointed, to whom large reserve powers are delegated; and due provision is made for younger sons and the female members of the family, and also for the management of the estate. From generation to generation the making of these settlements has gone on, and to this system is principally due the fact that so large an area of land in England is in so comparatively few hands.

Land so tied up by settlements is seldom sold; it is either leased or let on yearly tenancies. Leases are used principally for land for building purposes. The length of time for which they are granted varies in different parts of the country. In and about London, leases are seldom for a longer period than ninety-nine years. A ground rent is paid during these years, and at the expiration of the term the lessee ceases to have any interest in the buildings which he or his sub-tenants may have erected on the land. The buildings all pass into the possession of the ground landlord, and in most leases there is a provision that the property shall be in good condition when the landlord resumes possession of the land. This is the form of lease on which most of the London ground landlords let out their land.

In Lancashire and in other of the Northern counties, a different system has long been established. There the custom is for a ground landlord to let out land for building purposes on leases for long periods. Many of them are for terms of nine hundred and ninety-nine years. In these cases there is a ground rent as in the London leases, and at the end of the

period the property on the land, as in London, is to fall into the hands of the successors of the landlord who granted the original lease.

Land rented for farming is generally held on yearly tenancies. This does not mean that it is held only for a year; in numerous instances, generations of tenant farmers occupy the same lands, rented from the same families, on these yearly tenancies. What is meant by yearly tenancy is that the landlord can rid himself of his tenant, and the tenant part company from his landlord, by either party to the contract giving twelve months' notice at a particular season of the year. The rent of land so held is payable half-yearly; and in the event of a tenant becoming financially embarrassed, his landlord has a claim for arrears which must be satisfied before a tenant's property can be divided among his ordinary creditors. All the buildings comprised in the farmstead are the property of the landlord. The rent is settled mutually by the landlord or his agent and the tenant at so much per acre, and the amount determined upon includes payment for the use of the dwelling-house and the other buildings necessary for the work of the farm. Local taxes are paid by the occupier. Where tithes have not been commuted they are paid as a rule by the landlord.

On some of the large estates it is often a condition of the tenure that the occupier shall be a member of the local troop of yeomanry. If he is too old, or not of soldier-like build, the tenant compromises this part of the agreement by sending one of his

men. The landlords almost invariably reserve to themselves the game, and on some estates make it a condition that a right of way shall be given to the hunt. Curious customs prevail in different parts of the country. On some estates a farm is never rented to a widow; on others, even yet, farms are not let to men who are Nonconformists. In some cases also, the tenants are liable to penalties if they do not give immediate notice to the estate office when poachers have been on the lands in their occupation.

Until about twenty years ago, Parliament took no cognizance of the arrangements and agreements between landlords and tenants. By the game laws and the law of distress, landlords were placed in a position of legal advantage towards their tenants; but until 1875 Parliament assumed that the tenant could take care of himself in his bargains with the landlord. All the advantages were on the side of the landlord. He stipulated what crops were to be grown, how much straw and other produce was to remain and be used on the farm; and if a yearly tenant made any improvements, he had to leave them all when his tenancy expired, without receiving compensation. In 1875 Lord Beaconsfield's Government passed what was known as the Agricultural Holdings Act. Its intention was to give tenant farmers a right to compensation for improvements; but the Act was merely permissive, and as soon as it went into force, landowners compelled their tenants to contract themselves out of its provisions. It remained a dead letter until 1883, when during Mr.

Gladstone's first Administration a new measure was passed, so drawn up that tenants cannot contract themselves out of its provisions. Under this Act a tenant on leaving a farm is entitled to compensation from his landlord for all improvements made with the sanction of the landlord, the amount of the compensation being determined by the value of the improvements to the incoming tenant. Few of the large English landlords farm any considerable proportion of their land. Nearly all of it is let to tenants on yearly holdings.

It is the same with minerals. Gold and silver belong to the Crown; all other minerals to the ground landlord. Only here and there do the large landowners work the coal and other minerals under their land. The right to mine coal is usually leased on the royalty system for terms varying from twenty-one to sixty-three years. The royalties are generally so much a ton on the coal raised, although on some estates the royalties vary with the selling price of coal. In 1889 the mining royalties for the whole of England and Scotland averaged fourpence three farthings a ton. In addition to paying these royalties, the lessees of the mines usually pay a rent to the landlord from whom they lease the right to mine coal, and also to neighboring landowners for permission to convey the coals taken out of the mine over the surface of the land to the nearest railway or shipping point. These permissions are known as way-leaves; and in the year 1889, the landowners received about £200,000 for the way-leave rents in addition to

£4,000,000 as royalties. In that year it was estimated that the total amount of coal raised in England and Scotland was 177,000,000 tons.

A few years ago on the coal-fields in the North of England there was a popular feeling against mining royalties and way-leaves. The exact amount of the royalties was not generally known, and the common idea was that the payment of them by the mine-owners hampered trade and told injuriously on the wages of coal-miners. The question was much agitated after the coal-miners became possessed of the Parliamentary franchise in 1885, and the agitation led to the appointment of a Royal Commission. The Commission was constituted by Lord Salisbury's Administration in 1889, and was deputed to inquire into the amounts paid as royalties and way-leaves, the terms and conditions under which the payments were made, and into the "economic operation thereof upon the mining interests of the country." Landowners, mining lessees, representatives of miners' trade-unions, lawyers, and professors of political economy, were all of the Commission. Its inquiries extended over three years. Much of the evidence tendered before the Commission came as a surprise to the country. It was found that mining royalties were much less in amount than had been popularly supposed, and that their effect upon trade was but small. The Commission reported in February, 1893, and were unanimous in their opinion that any legislative interference with the amount of royalties was undesirable.

As to the effect of mining royalties on trade, the

Commission reported that "although proprietors of minerals have the power to prevent them from being worked, by refusing to let them, or by demanding excessive royalties, the evidence that we have received shows that these powers have not been so used as to interfere with the general development of the mineral resources of the United Kingdom."

On the general question of the relation of royalties to miners' wages, the Commissioners gave it as their opinion that it would "be more correct to say that wages govern royalties, than that royalties govern wages; for an intending lessee in negotiating for a lease of minerals must consider the probable cost of winning and working such minerals, as well as every other material circumstance affecting his enterprise; and, inasmuch as the principal outlay in the winning and working of minerals is that of wages, it follows that the wages paid, or to be paid, greatly influence the amount of royalty that a lessee can afford to pay on the minerals worked. If royalties were adjusted at frequent intervals, whilst prices obtainable for the mineral remained the same, royalties would necessarily be reduced if wages were increased."

The Commissioners further reported that evidence was given to show that "royalties have been reduced by individual lessees, either because of the low price of coal, or on account of the depreciation of the value of the mine. No evidence has been given to show that the benefit of the reduction was obtained by the miners in the shape of increased wages. The benefit to the miner takes the form of continuation

of employment, or, possibly, avoidance of a reduction in wages."

Owners of land under copyhold have given lessees of minerals more trouble than the freehold landowners. These copyholders, who, as the result of recent legislation for their enfranchisement, are yearly declining in number, hold their land from the lord of the manor under a peculiar tenure, which goes back in its origin to the time of the Saxons. Until the reign of Edward III., copyholders held their land at the will and caprice of the lords of the manor. Then they were given a legal status and security of tenure, subject, however, to payments of fines when the lands changed hands either by death or by purchase. One of these conditions is known as heriot. Under it, at the death of the copyholder, the lord of the manor has a right to take the best beast on the copyhold.

Minerals under copyhold land do not belong to the copyholder. They are the property of the lord of the manor; but he cannot, except at the will of the copyholder, enter the lands and mine for them. If they are reached from shafts sunk on neighboring land, the copyholder can obtain compensation for damage done to the surface of his land. Growing timber is not the property of the copyholder, but of the lord of the manor, who, however, cannot enter the land to cut it.

The evidence of title to copyhold land is in the court roll of the manor. When land thus held changes hands, the change is effected through sur-

render to the lord and a re-grant. The lord can exercise no choice as to the new copyholder, and the amount of fine he may exact has of late years been limited by law.

In days gone by there were hundreds of thousands of acres of common land. In the last century, and in the first half of the present, the process of enclosing these lands was most extensively carried on by the neighboring landowners. Many of the commons were enclosed by virtue of Acts of Parliament, which were passed in quick order in the days before the first Reform Act; others were annexed by the landlords without even the formality of an Act of Parliament, and were quietly added to their estates.

About thirty years ago, however, Parliament began to give some attention to common lands in the interests of others than the landlords. The Commons Preservation Society was established in 1865, and, as a result of its work, and of the new and active interest of the House of Commons, a check was at once put on these enclosures. This check is still in action, as is evidenced by the fact that in September, 1893, an Act was passed which placed all the land still unenclosed under the supervision of the Board of Agriculture, a Department with a Cabinet Minister at its head and directly responsible to Parliament. As the law now stands, a common cannot be enclosed by a landowner, or intrenched upon by a railway company, except by permission of the Board of Agriculture. The effect of this change,

which was begun by the Copyholders' Act of 1887, will be to leave the Commons Preservation Society almost without a reason for existence; for he will be a daring landowner who will run the risk of litigating with a Government Department like the Board of Agriculture. A noteworthy fact about this last measure for the preservation of commons is that it had its origin in the House of Lords.

Allotments and small holdings systems worked under the supervision of the local governing bodies are of recent date. Their establishment was among the earliest results of the movement in the constituencies and in Parliament to improve the position and the outlook of the laborer in the rural districts, which followed his enfranchisement by the Reform Acts of 1884 and 1885. The Allotments Act came first. It was passed in 1887, and gave powers to the Local Sanitary authorities to purchase agricultural land, divide it into allotments, and let the allotments on yearly tenancies to artisans and laborers. The Act did not work well; in some districts the local sanitary authorities dominated by the large farmers were slow, if not apathetic, in carrying out its provisions. Its shortcomings were remedied in 1890; and as the allotments law now stands, if a local authority fails to carry out its provisions, the ratepayers who are concerned may appeal to the county council, and the county council may assume and carry into effect all the power with reference to allotments vested in the local sanitary authorities.

The amending Act of 1890 also gives relief to

those local sanitary authorities which are desirous of establishing the allotments system, but are prevented from doing so by difficulties in securing suitable land. An authority so prevented from carrying out the law may now appeal to the county council, which will exercise compulsory powers in order to secure possession of the land required for allotments. The compensation for land so taken is settled by arbitration; private parks and gardens are exempt from the operation of these laws. Allotments are limited to one acre, and the theory of the system is that they shall be worked by day laborers in their spare time.

In 1892 the Small Holdings System was established by Parliament. The local machinery in connection with it is much the same as that of the Allotments System, only under the measure of 1892 a holding may be up to, but not exceeding, ten acres in extent, and sufficiently large to engage the whole of the holder's time.

Although Parliament has set up these two systems since the last Reform Act, neither of them is altogether new. For some years previously a number of the more liberal landlords had adopted the Allotments System, and worked it with much success. As regards small holdings, these have existed for more than two centuries past in the Fenlands in the eastern part of England. The system in the Fenlands, however, differs materially from the Small Holdings System established by Parliament in 1892. Under the modern system the holdings are rented from the county council. Under the Fenlands system they

are mostly freehold, owned by the people tilling them, who form a class of peasant proprietors.

One of the Fenland districts in which the older system may be seen to advantage, is in that part of Lincolnshire locally known as the Isle of Axholme. Two and a half centuries ago most of this country was under water. It was drained by means of canals and turbines, devised by Vermuyden, the Dutch engineer, and the waters carried off to the River Trent, along the banks of which dikes were erected, and still exist, to protect the lands. After the land was thus reclaimed, a portion of it was divided out among the local Fenmen, while the other part of it was reserved to the Crown, which had undertaken the work of reclamation. The Crown still holds some of the land which was then thus reserved, and still presents to the church livings in the Isle of Axholme; but nearly the whole of the land is now in the hands of small proprietors.

The land is not divided into fields, nor fenced from the highways, but lies in great open tracts. These are divided into narrow strips, with nothing more than a furrow to mark off one strip from another; and it frequently happens that three or four crops, belonging to as many different owners, are passed in a walk of one hundred yards along the highway. The cultivators do not live upon the lands, but in the neighboring towns and villages, where their farmsteads are situated.

The size of the lands or selions (Norman French; modern French "sillon" a furrow) varies consider-

ably, from less than a rood to as much as a couple of acres. Some of the strips are as narrow as four yards, and run to a quarter of a mile in length. The small holders own two or three of the lands, and cultivate them in addition to following their ordinary trade. Half a dozen lands form an average holding for a man who lives by farming them. Usually a holder of lands to this extent, in addition to cultivating his own, acts as a higgler and does the horse work for the smaller holders, who do not give all their time to farming and do not keep horses.

The value of the lands ranges from thirty pounds to eighty pounds an acre. Years ago they fetched as much as one hundred pounds an acre. Nearly all the lands are held by natives of the Isle. Newcomers are the exception. The owners are not always resident; but the non-residents usually have some family connection or tie with the Axholme country. Epworth, an old-fashioned, red-tiled and characterful market-town, which is the centre of this peculiar land system, lies remote from the railways, and in recent years its population has been declining.

Considerable work is still necessary to keep the narrow canals and sluices in good order, and to force the water along the canals to the Trent. This work is under the superintendence of a Drainage Board elected by the owners of the lands, on whom the Board levies a rate each year to meet the expenses incurred in carrying out the work.

Since the Reform Act of 1868, the second in the series of three great Parliamentary Reform Acts

which have made England a democracy, there has been much legislation for the relief of tenant farmers, for the preservation of common land, and for the improvement of the economic condition of the rural laborer. With the exception, however, of one measure passed in 1880, giving farmers the right to shoot hares on land in their occupation, the game laws remain as they were passed in the closing years of the unreformed Parliament. The most drastic of these laws — that for the prevention of night-poaching, and that for the prevention of trespass in the pursuit of game in the daytime — were passed before Queen Victoria came to the Throne, and by a House of Commons elected in the interests of landowners, and largely by landowners. After the beginning of the present reign these two measures were extended in their scope, and by one of the extensions, there were thrown upon the county police forces certain duties in connection with the prevention of poaching.

The modern game laws replace the old forestry laws, under which none but persons of birth or estate were allowed to kill game, and under which gamekeepers were given the right of search and other legal powers. The first of the modern game laws was passed in 1828. It is known as the Night Poaching Act, and under its provisions the local magistrates are empowered to inflict heavy penalties for the crime of poaching. Any person who unlawfully takes or destroys any game or rabbit, whether on open or enclosed land, or shall at night unlawfully enter or be upon land with any gun, net, engine, or

other instrument for the purpose of destroying game, is, upon conviction before two magistrates, liable to be committed to jail for a term not exceeding two months with hard labor, and at the expiration of his imprisonment may be called upon to find sureties for his not so offending again. For a second offence he may be sent to jail for six months; and in default of finding sureties for his future behavior, the prisoner may be detained in jail for a further period of twelve months. A third offence is a misdemeanor, and the offender may be sent to penal servitude for a term of not more than seven years. In a case of this kind, the accused would be tried at Quarter Sessions.

The next game law passed by the unreformed Parliament is that of 1832. It decreed a close time for hares, pheasants, partridges, grouse, heath and moor game, and black game and bustards; made trespassing in pursuit of game a criminal offence; and established a system of licenses for the killing and selling of game. Trespassing in the daytime in pursuit of game is, by this Act of 1832, made punishable by a fine not exceeding two pounds and costs; and where five or more persons engage in the trespass, each is liable to a fine not exceeding five pounds. By the same law, when a farmer kills game which, in his agreement with his landlord, is reserved by the landlord, he makes himself liable, not for a breach of contract for which damages can be recovered in county court, but to criminal proceedings before the magistrates.

The game laws passed after the Parliamentary

Reform of 1832, and by a House of Commons elected by the middle classes, begin with an Act which came into force about 1835, and made it a penal offence to take game on the highway at night. This was followed by another Act, passed about 1863, which gives power to policemen to search persons whom they have good cause to suspect of coming from any land where they may have been unlawfully in pursuit of game. Under this measure the policemen apply to the magistrates for summonses against suspected persons, who, if convicted at petty sessions, are liable to a fine not exceeding five pounds. All game and all implements for snaring and killing game found in possession of these offenders are forfeited. Under this measure the county police force act vigorously with gamekeepers in preserving game. The police are not supposed to act as game-watchers on private lands, but undoubtedly they often act in concert with gamekeepers in preventing poaching and in bringing the poachers to the police courts.

The Ground Game Act of 1880 was passed to relieve tenant farmers from some of the provisions of the Act of 1830. As the law stood, a farmer might be summoned to the police court for killing a hare on land in his own occupation. Under the Act of 1880 "every occupier shall have, as incident to and inseparable from his occupation of the land," a right to kill and take the ground game thereon. He now enjoys this right concurrently with the landlord, or with the person to whom the landlord has assigned the right to the game; and a tenant cannot sign away

his right when making terms with the landlord for the occupation of the land. The granting of licenses to kill and sell game is in the hands of the magistrates and the officers of the Inland Revenue Department. The law makes it an offence to buy game from other than persons licensed by the magistrates.

The conditions under which land is held in England, and the relationships of the large owners to their several classes of tenants, have now been briefly explained. So far, nothing has been stated in this chapter of the political privileges attaching to the ownership of great estates. What these privileges were, and which of them still remain, will, however, be clear to readers of the chapters dealing with local government, with the Poor Laws, with the administration of justice, and with the military forces. At the commencement of the century, the privileges attaching to land were both numerous and valuable; but from the time of the Reform Act of 1832, Parliament has been constantly passing measures which directly and indirectly have had the effect of curtailing or doing away with most of them.

About 1820 it was estimated that nearly one-half of the members of the House of Commons were returned by some 160 territorial families. These families are still dominant in the House of Lords; but not nearly so dominant there as they were half a century ago; while in the House of Commons, during the last sixty years, the power and influence of the large landowners have been continuously declining. The Reform Act of 1832 enfranchised the middle

classes, and to a large extent left political power in their hands until 1867. But while this Act thus enfranchised the manufacturing and commercial classes, it also increased the number of farmers possessed of the franchise; and for many years after it was passed, the large landowners continued to exercise great political powers through influences they were able to bring to bear on the tenantry. Writing of this phase of English landlordism in 1887, Professor Pollock affirmed that not only did the farmer meet the landlords half way on the questions of shooting rights, and allow free passes to the hunt, but "his political support of the landlord is not infrequently reckoned on with as much confidence as the performance of the covenants and conditions of the tenancy itself. In the case of holdings from year to year, it may be not unfairly said that being of the landlord's political party is often a tacit condition of the tenancy."

Professor Pollock was writing almost a quarter of a century after the Ballot Act came into operation, four years later than the Corrupt Practices Act of 1883, three years after the Reform Act of 1884, and at a time when the demand for farms was not nearly so great as formerly. But any one who has been much in contact with English tenant farmers of the old school and who has been present at a rent-audit dinner, knows that, notwithstanding the Ballot Act, many of them still regard voting with the landlord's party as only right and loyal towards the estate with which they are connected.

It is undoubtedly true, as Professor Pollock asserts,

that farmers still vote with the landlords. Their votes, however, are not worth what they were to the landlords prior to the Reform Act of 1884. This Act enfranchised some two million voters in the rural constituencies. Most of these electors vote as they please. The rural laborer is not much troubled with feelings of loyalty to the estate on which he works, and in many constituencies what may be described as the mechanical loyalty of the tenant farmer is more than counterbalanced by the votes of the laborers and those of the small tradesmen and artisans in the villages, who are free alike of the tenant farmer and the squire. The voters in a manufacturing or a mining community, situated in an otherwise rural constituency, will at any time more than neutralize the support which a Conservative landlord can count upon from his tenantry.

Nor is the political support of the tenantry given to the landlord's party as mechanically as it was even twenty years ago. Since 1880 there has been a far-reaching change in the character of the rank and file of political parties in England, and a great movement of the prosperous and well-to-do from the old Liberalism to the new Conservatism. Tenant farmers have shared largely in this movement, and nowadays thousands of them vote with the Conservatives as much from conviction and sympathy as from loyalty to their landlords.

After the loss of direct influence in the House of Commons which followed the first Reform Act, the landlords held their own as regards political power

and privileges until 1885. Between the first and the last Reform Acts they lost their exclusive hold upon the Civil Service, upon the commissions in the army and the navy, and also some of their hold on the militia. As concerns local government, they were left undisturbed in possession of great powers until 1888. In that year the County Government Act was passed, and by this measure the landlords lost the monopoly of county administration. All that were left to them were their judicial powers and some share in the control of the county police. All their other privileges were taken away, and local government was placed in the hands of county councils elected on a democratic franchise.

Some privileges still attach to the ownership of land. A lord-lieutenant of a county is necessarily a large landowner; so are his deputies, and so is the sheriff; and a county magistrate has still to be possessed of land. Preference is still given to landowners and the sons of landowners in the appointments to commissions in the militia. Coroners in counties are still elected by the free-holders, and grand juries at the Assizes and the Quarter Sessions are still drawn from the landed classes. These privileges, however, are now being assailed by the democracy. Of late years the Radicals have concentrated their efforts on the reform of the county magistracy. Sooner or later they will succeed, and their success in this direction will also mean the breaking down of the present system of summoning grand juries exclusively from the landowners. When these privileges

associated with land, in connection with the magistracy, are gone, little will be left to the landowners but the lord-lieutenancy and the office of high sheriff, so that to the squirearchy no political privileges worth the having will remain.

CHAPTER XIII.

THE DAILY PRESS.

Establishment and Development of Modern Daily Newspapers. — Reports of Parliamentary and Political Speeches. — Non-Partisan Reporting. — Government Organs of the Past. — Rewards from Government to Newspapers. — Honors for Proprietors and Editors. — Government Publications.

THE era of the daily press dates from about 1860. Daily newspapers had been published in London since 1702; but all through the eighteenth century, and until after the middle of the nineteenth, these London daily journals were sold at high prices, and their circulations were small. There were many reasons for this limited circulation. Daily newspapers were costly to produce; their expeditious distribution outside the metropolis was a matter of great expense, and, above all, the newspapers were hampered by the taxes on white paper, on advertisements, and by the stamp duty. The last named of these imposts was repealed in 1855, the duty on paper in 1861, and with the entire freedom from taxation began the modern era of the daily press.

At this time London had nine or ten daily newspapers, with the *Times* in the lead. Of these, six or seven still survive, and are holding their own with competitors of more recent origin. Up to the time of the abolition of the stamp duties, London

was the only city which had a daily press; but between 1855 and 1870 a large number of newspapers published in the provincial cities, which had hitherto been issued in weekly or bi-weekly form, made their appearance as daily journals. With only one or two exceptions, all the prosperous provincial morning papers of to-day were originally weeklies, and as such had long occupied the ground they now hold as dailies. They were all founded upon old-established weekly journals which had made constituencies for themselves in the days when people were contented to receive their news once or twice a week, and were willing to pay fivepence, or even sevenpence or eightpence, for the modest papers in which it was contained.

During the last twelve or fifteen years attempts have been made in London, Liverpool, Birmingham, and Newcastle, and in Edinburgh, Glasgow, and Aberdeen, to establish morning journals published daily from the outset. Several of the journals so started dropped out of existence after short careers. In every one of these cases the new paper was put on foot to meet a supposed political need. In no case was the paper a commercial enterprise; the men who found the capital had a political end to serve, and were willing to adventure their money for that purpose. All the older papers are so well established, and they so adequately cover the field, and it costs such an immense sum to start a new paper, that nowadays business men will not embark money in daily newspaper enterprises; and during

the last twenty-five years no attempt has been made to start an absolutely new morning paper as a strictly commercial speculation with the idea of being able to compete with existing journals. The older daily journals, those which came into existence as weeklies, and were transformed into dailies in the sixties and the seventies, had the advantage from the start. They had a clear field; they went in and possessed it, and the futile results of recent endeavors to strike into their domains and share their prosperity seem to prove that the position of these older journals is unassailable.

It is not difficult to understand why the positions of the older journals are thus almost impossible of successful attack. In the first ten or fifteen years of the era of the daily press, people were content to pay their pennies for four-page sheets, which were produced at comparatively small outlay, an outlay generally within the means of the owner of a successful weekly or bi-weekly journal. As the reading constituencies grew, and the advertising patronage extended, the four-page broad-sheets were turned into eight-page papers; the home and foreign news services were extended and improved; the provincial papers established London offices, organized London and Parliamentary staffs, leased from the post-office telegraph wires between London and the town of publication, augmented the editorial and local staffs, until gradually it has come about that the leading papers in Manchester and Glasgow, in Liverpool and in Birmingham, are as good as any of

the penny morning journals which are published in London.

The eagerness for news of what is going on in Parliament is older than the daily press. Parliamentary debates were published at length in weekly papers and magazines when the reporters and the printers who engaged in the work of producing the reports did so at great risk, and were liable to be summoned before the House of Commons, and sent to Newgate or the Tower of London for breach of privilege. Ever since the press was admitted to the galleries of the Houses of Parliament, and especially after the use of shorthand became general among reporters, the daily papers have devoted a large proportion of their space to the proceedings at Westminster; and when Parliament is in session it is almost a canon in every morning newspaper office that the first editorial shall deal with last night's sitting in the House of Commons, or with the political speeches made outside the walls of Parliament. It frequently happens that a page and a half of the London or Manchester morning journals are devoted to the Parliamentary reports, and, by a large proportion of the newspaper's constituency, these long reports are carefully read. Busy men may content themselves with the summary; but people who take a continuous active interest in politics read the full reports.

It is much the same with the great speeches which are made outside Parliament. If Mr. Gladstone or Lord Salisbury, Mr. Balfour or Mr. John Morley, makes a speech of an hour's duration at a political

banquet or a public meeting, most of the morning papers report the speech in full. In the reporting of these speeches there is rarely anything approaching to political partisanship. The editor of a Conservative newspaper is, of course, more disposed than the editor of a Liberal paper to throw aside other news matter to make room for a three-column report of a speech by Lord Salisbury or Mr. Balfour; but if the Liberal editor undertakes to report the speech at all, he will do so with as absolute fairness as his Conservative contemporary.

Shorthand reporters are supposed to know no politics in the discharge of their work; and rarely, if ever, does a trained reporter wilfully and for partisan reasons garble or distort a speech of a public man who is on the opposite side in politics to that of the newspaper. Experienced reporters, men of any standing in the newspaper world, know to a nicety where the work of a reporter ends and where that of the edtorial writer begins, and reporters seldom trench upon the province of the editorial writer. Sometimes in the introductory sketch which precedes a verbatim report of a speech by Mr. Gladstone or Lord Salisbury, there is a partisan bias; but usually this introductory matter is printed in larger type than the body of the report, and is obviously the work of an editorial correspondent. The report of the speech which follows is usually alike word for word in the newspapers of both political parties, and is frequently the work of the same corps of shorthand reporters.

An editor has no hesitation in firing hot shot at a political opponent; but in the case of journals of any standing, the opponent so assailed has to keep his eye on only one battery, — that planted on the editorial page. On the news page he will usually receive all the fairness and courtesy that the paper accords to public men of its own political party.

There are not wanting grounds for the belief that this non-partisan character of the reporters' work in the best English journals accounts in a great measure for the hold which political speeches have upon newspaper readers, and for the growing tendency of thoughtful people to form their own opinions more upon what a public man says and does than upon the partisan interpretations of his speeches and actions in the editorial columns of the daily newspapers. It is open to question whether the editorial writer is the power he once was in English journalism. He still helps to keep his party together; but nowadays it is doubtful whether the editorial columns of the daily press make many political converts. People seldom read more than one morning paper, and usually it is of the political complexion of the party to which they belong. The editorial opinions of the papers on the other side seldom come under their notice, and, as a general thing, political editorial writers write for those who are already with them.

All over England the morning papers are bought almost exclusively by the middle classes. No morning paper can be maintained without the support of a constituency drawn from this class. The working-

classes form no large part of the supporters of the penny morning press. When working-people read daily papers they are those published in the afternoon and sold at a halfpenny; and, as a rule, these afternoon papers give more attention to sporting news than to politics.

Before the daily press entered upon the era dating from the abolition of stamps and duties, there were journals in London which might with some degree of accuracy be described as Government organs. These journals were not directly subsidized by the Government; but their conductors were rewarded in various ways, — sometimes by advertising patronage, and by the enjoyment of other privileges, and sometimes by office. The editors of such papers were in some kind of touch with the members of the Ministry. Exclusive official information was occasionally vouchsafed to them, and their journals were sometimes spoken of as inspired.

With the new era of daily journalism this condition of things came to an end. The reform of the civil service, which dates ten years later than the complete freedom of the press, made it impossible for a Government to reward its journalistic supporters by quartering them on the civil establishment. Almost the last offices conferred by a Government on journalists were the Examinership of Plays, an office attached to the department of the Lord Chamberlain, and the editorship of the *London Gazette*. The office of the Examiner of Plays is one to which considerable work attaches; the editorship of the *London*

Gazette is a sinecure, and is to be, or has been, abolished. This office was last held by a journalist who at one time was the editor of a Liberal morning paper published in London. The present Examiner of Plays was also a member of the editorial staff of the same journal. With the exception of these two positions, for twenty years past, there have been no appointments which a Government might confer on journalists in reward for their literary services.

Nor can a Government nowadays confer any very substantial favors upon the owners or editors of journals. About all that can be done for a daily journal by the Government is to give it a place on the list of journals which are entitled to share in official advertising and to receive the few official communications which are sent out from State Departments like the Foreign Office and the Colonial Office, the Admiralty and the Board of Trade. Neither of these privileges is worth much. It is doubtful whether there is a single daily journal which receives in the aggregate from the Government Departments, advertising patronage worth two hundred pounds a year; while as concerns official communications, these are little more than a compliment to the journal receiving them; for the same communications are sent to the press associations, and are distributed by these agencies to all their subscribers.

The number of tickets issued for the Reporters' Galleries at Westminster is limited. They are much in demand. The Sergeant-at-Arms distributes those for the House of Commons, and the Lord Chamber-

lain is responsible for those for the House of Lords. In both cases, but more particularly for the House of Commons, the distribution of these press privileges is a matter of some difficulty and delicacy; but to no one who has had anything to do with applications for these tickets would it occur that partisan considerations ever entered into the consideration of applications for them. The boxes assigned to the various daily newspapers in the Press Gallery in the House of Commons seldom fall vacant. When one is surrendered by a newspaper, or a newspaper holding a box drops out of existence, each application for the vacant seats is considered on its merits.

The only other privileges conferred on journalists at Westminster are in the gift of the Speaker. These are the orders for admission to the Inner Lobby of the House of Commons; and applications for places on what is known as the Speaker's list are dealt with in the same way as those addressed to the Sergeant-at-Arms for boxes and places in the Reporters' Gallery.

The Government, in short, can make little return to newspapers which support it, or which supported its members when they were in Opposition; and so far as news services and revenues are concerned, it matters little to the proprietor of a daily paper whether the political party which his journal supports is in office or in Opposition at St. Stephens.

Of late years, however, a new system of rewards for journalists has come into vogue. It was devised by Lord Salisbury about 1885, and takes the form of

honors which are bestowed on proprietors and editors. This form of reward was freely bestowed by Lord Salisbury between 1885 and 1892. It was adopted by Mr. Gladstone in 1893; and now, as the outcome of this system, there is scarcely a large city in Great Britain in which there is not a titled journalist. The rule is baronetcies for proprietors, and knighthoods for editors. A baronetcy confers an hereditary title upon the recipient of the honor; the title of a knight dies with its holder.

In the smaller towns the proprietors and editors of weekly and bi-weekly journals which take sides in politics have in recent years been rewarded by places on the borough benches of magistrates, appointments which are regarded as conferring some slight local social distinction upon those who receive them.

The journals issued from the Government Departments, or published under the auspices of the Government, are the *London Gazette*, *Hansard's Parliamentary Debates*, the *Board of Trade Returns*, the *Board of Trade Journal*, and the *Labor Gazette*.

The *London Gazette* has been in existence as an official journal since 1665. It is now published twice a week, and special editions are issued as occasion demands. It is devoted exclusively to official notices and advertisements, and is a strictly non-partisan journal. All Royal Proclamations, all notices concerning Parliament, the Military and Naval Forces, the Civil Service, and the various Government and State Departments are published in the *London Gazette*, as are also all dissolutions of partnership

and all advertisements issued in connection with the administration of the bankruptcy laws.

Hansard's Parliamentary Debates were established early in the present century by a London printer and publisher, whose name they bear. For many years they were published as a private speculation; later on they were given a semi-official character, and the Government granted the publisher an annual subsidy, purchased a certain number of copies of the *Debates* for use in the libraries at Westminster and Whitehall, and also assigned the *Hansard* reporters boxes in the Press Galleries in the Houses of Parliament. An arrangement of this kind still exists, although the publication of the debates has passed out of the hands of the family which originally issued them. The *Hansard Debates* differ in several respects from the *Congressional Record* which is published at Washington. Speeches, as a rule, are condensed to about one-third their original length: members revise their speeches, if they care to do so; but they are not permitted to introduce matter which was not contained in the speech as made in the House. Nor are copies of the *Debates* supplied free to members. They have to subscribe for them as they do for ordinary journals.

The other three official publications are all issued from the Board of Trade. The *Board of Trade Returns* are published in the first week of each month, and contain detailed and comparative statistics as to imports and exports in the United Kingdom, compiled from the official returns made by the

officers of the Board of Trade. This publication is entirely statistical, and is of great value as an indication of the state of trade. Another monthly publication issued from the same Department is the *Board of Trade Journal*. It is largely made up of the reports concerning trade abroad and openings for British trade, addressed by the English consuls to the Foreign Office. The making of the reports is one of the most important duties of English consuls abroad. Like the *London Gazette*, the *Board of Trade Journal* is a strictly non-partisan publication. It is, however, of much more general interest than the *London Gazette*, and is largely circulated among manufacturers and shippers all over the British Empire.

The *Labor Gazette*, which is also issued monthly, is the newest of the Government publications. It was begun in May, 1893, and replaced the monthly bulletin which was formerly issued to the press in the days when all the work of the Labor Department was discharged by one solitary official, who was known as the Labor Correspondent of the Board of Trade. The *Labor Gazette* dates from the reorganization and enlargement of the Labor Bureau at Whitehall, and is an outcome of the new solicitude of the Government for the interests of labor, which has been briefly described in the chapter dealing with the factory laws and labor legislation. With questions of opinion the *Labor Gazette* has no concern. The aim of its publication, as officially described, "is to provide a sound basis for the

formation of opinions, and not to supply opinions." To this end official information bearing on labor in all its phases, collected by the Board of Trade, by the Foreign Office, and by the other State departments, is summarized in the *Labor Gazette*, and official correspondents are permanently engaged in all the great centres of industry in the United Kingdom to report concerning the condition of trade, the demand for labor, and also concerning the causes, progress, and results of all disputes between labor and capital.

All the official publications outside the periodicals described, including all documents laid on the table of the House of Commons or the House of Lords, such as reports from the State Departments, from Select Committees, and from Royal Commissions, are known as Blue Books. Only to members of Parliament are these Blue Books furnished free of charge. Other people may obtain them at very little more than cost price from the Queen's printers.

APPENDICES.

APPENDIX A.

THE AGGREGATE COST OF LOCAL GOVERNMENT IN ENGLAND.

THE cost of Local Government in England and Wales, including municipal government, — urban and rural, in all its departments, — the administration of the Poor Laws, and the Elementary Education Acts, is shown by the accompanying tables, which are taken from the annual report of the Local Government Board for the year 1891–92. The figures quoted are those for the financial year ending March 25, 1890. In that year the net receipts of all the local governing bodies reporting to the Local Government Board were £50,237,862, as compared with £47,975,705 in the year ending March 25, 1889. The principal items of receipt in these two years were as follows: —

	1888–89.	1889–90.
	£	£
Public Rates	27,420,223	27,713,409
Treasury subventions and payments	4,790,860	2,194,838
From Local Government Board out of the Local Taxation Account	—	4,327,441
Tolls, dues, and duties	3,718,381	3,642,423
Receipts from real and funded property (excluding sales)	1,400,148	1,379,823
Sales of property	578,746	513,001
Fees, fines, penalties, and licenses	1,170,984	1,173,348
Revenue from waterworks	2,400,407	2,515,217
Revenue from gasworks	3,677,929	3,867,416
Revenue from markets, cemeteries, and burial grounds; sewage farms and works; baths, washhouses, and open bathing-places; libraries and museums; fire brigades, lunatic asylums, hospitals, tramways, slaughter-houses, and harbors, piers, or docks	858,838	950,500
Repayments in respect of private improvement works	737,414	773,438

The aggregate expenditure of the same local authorities during the year, so far as it was not defrayed out of loans, amounted to £48,179,573, as compared with £47,082,128, expended during the year 1888-89. The principal items of expenditure for 1888-89 and 1889-90 were as follows: —

	1888-89.	1889-90.
	£	£
Relief of the poor (including salaries, but excluding maintenance of pauper lunatics).	6,599,222	6,607,299
Pauper lunatics and lunatic asylums . . .	1,493,265	1,505,691
Police	3,892,949	3,899,846
Prosecutions, and conveyance and maintenance of prisoners	215,465	208,760
Education (including expenses of school boards, school attendance committees, reformatories, and industrial schools) . .	3,863,438	4,056,696
Highways, street improvements, and turnpike roads	5,681,607	5,890,554
Gasworks	2,627,416	2,822,001
Public lighting	909,200	938,043
Waterworks	864,614	888,393
Sewerage and sewage disposal works . .	879,848	979,489
Markets and fairs	294,027	288,248
Cemeteries and burial grounds	243,650	255,674
Fire brigades	206,162	219,133
Public buildings, offices, etc. (not included under other headings)	208,428	178,479
Parks, pleasure grounds, commons, and open spaces	207,760	228,090
Public libraries and museums	179,658	190,785
Baths, washhouses, and open bathing-places	130,230	143,188
Bridges and ferries	379,844	403,748
Artisans and laborers' dwellings improvements	23,955	14,528
Contagious Diseases (Animals) Acts . .	142,517	101,824
Hospitals	163,924	154,959
Harbors, piers, docks, and quays	1,111,413	1,245,247
Slaughter-houses	14,680	13,977
Land drainage, embankment, and river conservancy	235,797	270,267
Tramways	29,096	28,162
Other public works and purposes	2,332,151	2,401,082
Private improvement works	536,261	567,152
Payments in respect of principal and interest of loans (including payments to sinking fund), ...	11,163,803	11,084,907
Salaries . , ...	1,527,575	1,539,643
Establishment charges	441,840	464,111
Legal and Parliamentary expenses . . .	119,143	134,410

APPENDIX B.

MUNICIPAL INDEBTEDNESS.

THE bonded indebtedness of the various local governing bodies, and the undertakings for which the loans were raised, is shown in the accompanying table. The figures given are those for the years 1885–86 and 1889–90. Those for 1885–86 are given in order to indicate the works on which the municipalities are increasing their expenditures on capital account.

	1885–86.	1889–90.
	£	£
Poor Law purposes	6,686,575	7,037,304
Lunatic asylums	3,408,780	3,557,436
Police stations, jails, and lock-up houses	859,594	1,019,301
Schools (including reformatories and industrial schools)	16,098,216	18,240,088
Highways, street improvements, and turnpike roads	28,642,170	28,828,949
Waterworks	31,870,895	37,730,323
Gasworks	14,431,509	14,851,731
Sewerage and sewage disposal works	17,799,980	19,352,382
Markets	5,226,661	5,406,289
Cemeteries and burial grounds	2,389,865	2,470,330
Fire brigades	309,136	471,425
Public buildings, offices, etc. (not included under other headings)	3,702,530	4,234,431
Parks, pleasure grounds, commons, and open spaces	2,584,363	3,743,387
Public libraries and museums	379,515	472,573
Baths, washhouses, and open bathing-places	610,211	867,403
Carried forward	135,000,000	148,283,352

	1885–86.	1889–90.
	£	£
Brought forward . . .	135,000,000	148,283,352
Bridges and ferries	3,139,959	4,084,200
Artisans and laborers' dwellings improvements	3,641,394	3,835,490
Cattle Diseases Prevention Act, 1866 . .	129,668	87,619
Hospitals	431,017	629,261
Harbors, piers, docks, and quays	29,119,812	31,114,487
Land drainage and embankment, river conservancy, and sea defences	2,151,344	3,136,884
Tramways	1,312,176	1,276,410
Private improvement works	902,623	944,399
Loans charged on church rates	15,513	7,600
Allotments	—	8,249
Public lighting	36,751	52,708
Slaughter-houses	71,364	104,902
Other purposes	5,537,099	5,105,751
Total	181,488,720	198,671,312

APPENDIX C.

SALARIES UNDER THE MUNICIPALITIES.

SOME idea of the rates of pay received by the higher grade of municipal servants may be obtained from the figures given below. They represent the salaries which were paid in 1893 to the town clerks and the surveyors of seventeen provincial towns and cities. In some few cases the whole time of the town clerk and the surveyor is not demanded by the town council, and these officers are allowed to take private practice.

	POPULATION.	TOWN CLERK.	SURVEYOR.
		£	£
Liverpool	517,953	1,600	950
Manchester	505,343	1,750	1,000
Birmingham	478,116	2,000	1,000
Leeds	367,506	1,250	800
Sheffield	324,243	1,250	800
Nottingham	211,984	1,900	800
Salford	198,717	1,000	500
Newcastle	186,345	1,500	1,000
Brighton	115,402	800	700
Burnley	87,058	600	450
Gateshead	85,742	600	500
Halifax	82,864	1,050	500
Southampton	64,899	1,000	500
Lincoln	41,491	250	350
Exeter	37,580	900	500
Burslem	30,862	300	200
Dewsbury	29,847	400	350

APPENDIX D.

THE AGGREGATE ANNUAL COST OF THE POOR LAW SYSTEM.

According to the twenty-first annual report of the Local Government Board covering the twelve months ending Lady Day, 1892, there were in England and Wales on that day 761,473 persons in receipt of Poor Law relief. Of the total number, 198,934 were in-door paupers and 562,320 out-door paupers, while 219 received both in-door and out-door relief. The accompanying table shows the total cost of the Poor Law System for each of the ten years preceding 1891-92, together with the Poor Rate per head of the population, and the rate in the pound on the ratable value.

Year ended at Lady-Day.	Estimated Population.	Expenditure on Relief of the Poor.	Rate per Head on Population.	Rate in £ on Ratable Value.
		£	s. d.	s. d.
1882	26,046,112	8,232,472	6 3¾	1 2.1
1883	26,334,776	8,353,292	6 4¼	1 2.2
1884	26,626,639	8,402,553	6 3¾	1 2.1
1885	26,921,737	8,491,600	6 3¾	1 2.0
1886	27,220,105	8,296,230	6 1¼	1 1.5
1887	27,521,780	8,176,768	5 11¼	1 1.2
1888	27,826,798	8,440,821	6 0¾	1 1.6
1889	28,135,197	8,366,477	5 11¼	1 1.4
1890	28,447,014	8,434,345	5 11¼	1 1.5
1891	28,762,287	8,643,318	6 0	1 1.6

APPENDIX E.

THE DISTRIBUTION OF PAUPERISM. — THE RELATIVE POSITIONS OF THE AGRICULTURAL AND MANUFACTURING COUNTIES.

THE distribution of pauperism over the various counties of England and Wales is shown in the table given below. The counties marked 1 are rural; those marked 2 are rural and mining; those marked 3 are manufacturing, mining, and partly rural; and those marked 4 are rural with large suburban populations.

Union-Counties.	Ratio per 1,000 of Estimated Population.		
	In-door Paupers.	Out-Door Paupers.	Paupers of all Classes.
1 Norfolk	7.2	39.2	46.4
1 Dorset	5.4	38.1	43.5
2 North Wales	3.6	37.7	41.3
1 Wilts	6.8	32.9	39.7
1 Hereford	5.8	33.6	39.4
1 Somerset	5.9	33 5	39.4
1 Devon	5.0	33.6	38.6
1 Hertford	7.2	31.1	38.3
1 Oxford	7.0	30.7	37.7
1 Suffolk	5.9	29.9	35.8
1 Buckingham	4.7	30.3	35.0
2 Cornwall	3.8	31.0	34.8
1 Gloucester	7.0	27.7	34.7
1 Cambridge	6.2	28.2	34.4
1 Rutland	6.1	28.1	34.2

Union-Counties.	Ratio per 1,000 of Estimated Population.		
	In-door Paupers.	Out-Door Paupers.	Paupers of all Classes.
[1] Bedford	5.5	28.0	33.5
[8] Lincoln	4.6	28.9	33.5
[1] Southampton	7.5	25.6	33.1
[1] Sussex	7.6	25.3	32.9
[2] Monmouth	5.1	27.0	32.1
[3] Worcester	5.7	24.1	29.8
[3] Stafford	5.5	24.1	29.6
[3] South Wales	3.3	25.2	28.5
[1] Essex	5.7	22.2	27.9
[1] York, North Riding	4.9	22.9	27.8
[2] Cumberland	4.7	22.9	27.6
[3] York, East Riding	5.4	21.2	26.6
[4] Kent	8.4	17.9	26.3
[1] Berks	8.6	17.6	26.2
London	14.5	11.3	25.8
[8] Northampton	4.1	21.7	25.8
[1] Huntingdon	6.4	19.1	25.5
[3] Leicester	5.2	19.8	25.0
[8] Nottingham	4.4	19.1	23.5
[4] Surrey	6.3	16.1	22.4
[8] Derby	4.2	17.3	21.5
[4] Middlesex	5.1	16.2	21.3
[3] Durham	4.1	16.5	20.6
[1] Westmoreland	5.1	15.4	20.5
[8] Warwick	7.3	12.9	20.2
[8] Northumberland	4.4	15.6	20.0
[8] Chester	4.9	14.9	19.8
[3] Salop	6.5	13.2	19.7
[8] Lancaster	6.5	11.7	18.2
[8] York, West Riding	3.7	14.3	18.0

APPENDIX F.

CURRICULUM OF THE ELEMENTARY DAY SCHOOLS.

AFTER children have passed through the Infant's Department of the Elementary Day Schools they are grouped in standards. There are seven of these in most schools. Children enter the first standard between the ages of five and seven, and are usually advanced a standard after each annual examination by the inspectors from the Education Department. The Education Code applies to all Elementary Day Schools in England and Wales. It sets out the subjects in which the children in the several standards are to be examined. They are as follows: —

STANDARD I.

Reading: To read a short passage from a book not confined to words of one syllable.

Writing: Copy in manuscript characters a line of print, commencing with a capital letter.

Arithmetic: Notation and numeration up to 1,000. Simple addition and subtraction of numbers of not more than three figures. The multiplication table to 6 times 12.

English: Pointing out nouns.

Geography: A plan of the school and playground. The four cardinal points. The meaning and use of a map.

Elementary Science: Thirty lessons on common objects; *e.g.*, a postage stamp; the post; money; a lead pencil; a railway train; foods and clothing materials, as bread, milk, cotton, wool; minerals, as gold, coal; natural phenomena, as the day, the year.

History: Simple stories relating to English history.

STANDARD II.

Reading: To read a short passage from an elementary reading-book.

Writing: A passage of not more than six lines, from the same book, slowly read once, and then dictated word by word.

Arithmetic: Notation and numeration up to 100,000. The four simple rules to short division. The multiplication table, and the pence table to 12*s.*

English: Pointing out nouns and verbs.

Geography: The size and shape of the world. Geographical terms simply explained, and illustrated by reference to the map of England. Physical geography of hills and rivers.

Elementary Science: Thirty lessons on common objects, such as animals, plants, and substances employed in ordinary life; *e.g.*, —

Horse.	Leaves.
Sparrow.	Candles.
Roots.	Soap.
Stems.	Cork.
Buds.	Paper.

History: Simple stories relating to English history.

STANDARD III.

Reading: To read a passage from a reading-book. The intelligence of the reading is tested partly by questions on the meaning of what is read.

Writing: Six lines from one of the reading-books of the Standard, slowly read once and then dictated.

Arithmetic: The four simple rules to short division: also long division and the addition and subtraction of money.

English: Pointing out nouns, verbs, adjectives, and personal pronouns, and forming simple sentences containing them.

Geography: Physical and political geography of England, with special knowledge of the district in which the school is situated.

Elementary Science: Simple principles of classification of plants and animals. Substances used in the arts and manufactures. Phenomena of the earth and atmosphere.

History: Twelve stories from early English history; *e.g.*, the ancient Britons, the introduction of Christianity, Alfred the Great, Canute, Harold, the Norman Conquest.

STANDARD IV.

Reading: To read a passage from a reading-book, or history of England.

Writing: Eight lines of poetry or prose, slowly read once, and then dictated.

Arithmetic: Compound rules (money) and reduction of common weights and measures.

English: Parsing easy sentences, and showing by examples the use of each of the parts of speech.

Geography: Physical and political geography of the British Isles, and of British North America or Australasia, with knowledge of their productions.

Elementary Science: A more advanced knowledge of special groups of common objects, such as, (*a*) animals or plants, with particular reference to agriculture; or (*b*) substances employed in arts and manufactures; or (*c*) some simple kinds of physical and mechanical appliances; *e.g.*, the thermometer, barometer, lever, pulley, wheel and axle, spirit level.

History: Twenty stories and biographies from 1066 to 1485; *e.g.*, Hereward, Becket, Richard I. and the Crusades, John and Magna Charta, Montfort and the House of Commons, the Black Prince, Caxton.

STANDARD V.

Reading: To read a passage from some standard author, a reading-book, or a history of England.

Writing: Writing from memory the substance of a short story read out twice; spelling, handwriting, and correct expression to be considered.

Arithmetic: Practice, bills of parcels, and single rule of three by the method of unity. Addition and subtraction of proper fractions, with denominators not exceeding 12.

English: Parsing and analysis of simple sentences. The method of forming English nouns, adjectives, and verbs from each other.

Geography: Geography of Europe, physical and political. Latitude and longitude. Day and night. The seasons.

Elementary Science: (*a*) Animal or plant life; or (*b*) the principles and processes involved in one of the chief industries of England; or (*c*) the physical and mechanical principles involved in the construction of some common instruments, and of some simple forms of industrial machinery.

History: The Tudor period, with biographies of leading persons; *e.g.*, the Protector Somerset, Queen Elizabeth, Shakespeare, Raleigh, Cecil, Drake, Mary Queen of Scots.

STANDARD VI.

Reading: To read a passage from one of Shakespeare's historical plays, or from some other standard author, or from a history of England.

Writing: A short theme or letter on an easy subject; spelling, handwriting, and composition to be considered.

Arithmetic: Fractions, vulgar and decimal; simple proportion and simple interest.

English: Parsing and analysis of a short complex sentence. The meaning and use of the most common Latin prefixes in the formation of English words.

Geography: The British colonies and dependencies. Interchange of productions. Circumstances which determine climate.

Elementary Science: (*a*) Animal and plant life; or (*b*) the commonest elements, and their compounds; or (*c*) the mechanical powers.

History: The Stuart period, with special reference to the Civil War, and to the constitution and functions of Parliament. Biographies of six leading persons.

STANDARD VII.

Reading: To read a passage from Shakespeare or Milton, or from some other standard author, or from a history of England.

Writing: A theme or letter; composition, spelling, and handwriting to be considered.

Arithmetic: Averages, percentages, and stocks.

English: Analysis of sentences. The most common prefixes and terminations generally.

Geography: The United States. Tide and chief ocean currents.

Elementary Science: (*a*) Distribution of plants and animals, and of the races of mankind; or (*b*) properties of common gases; or (*c*) sound, or light, or heat, or electricity, with applications.

History: The Hanoverian period, with special reference to the acquisition and growth of the colonies and foreign possessions of Great Britain. Biographies of six eminent writers or statesmen.

In England and Wales, at the end of August, 1892, there were on the registers of the elementary day schools 5,006,979 children, of whom 4,609,240 were in attendance on the day the Government inspectors visited their respective schools. Of the total number, 3,203,129 were between the ages of seven and thirteen years; infants under seven numbered 1,611,736; and in the whole of England and Wales only 152.930 children between the ages of thirteen and fourteen, and 39,184 above fourteen, were in attendance at the elementary schools. During the year, the Government grants to elementary day schools were £3,561,300, or 18*s*. 4¾*d*. per scholar in average attendance. The average attendance in voluntary schools was 2,300,337, and in board schools 1,570,397. The cost per scholar in voluntary schools was £1 17*s*. 9½*d*., and in the board schools £2 8*s*. 4¾*d*. The annual grant earned per head was 18*s*. 0¾*d*. in the voluntary, and 18*s*. 11*d*. in the board schools. The amounts so earned were in addition to the fee grant of ten shillings per scholar paid under the Act of 1891. Out of the 19,500 schools inspected, 15,170 were entirely free. The average salary paid to teachers was £1 9*s*. 0¼*d*. per scholar in voluntary schools, and £1 16*s*. 10¾*d*. in board schools. Sixty per cent of the certificated teachers and seventy-nine per cent of the assistant teachers were women. Of the pupil teachers, 21,133 were girls, or an increase of 191 per cent since 1869. The male pupil teachers numbered 5,828, or only 258 more than in 1869, — the year before the Forster Education Act was passed.

APPENDIX G.

THE DUTIES OF THE HOME OFFICE AND THE LOCAL MAGISTRATES ON OCCASIONS OF TUMULT AND RIOT.

IN the chapters dealing with Municipal Government, and in that describing the various State Departments, a brief explanation was given of the connection which exists between the Home Office and the local police forces, and also of the duties of the Home Office as concerns the preservation of the peace. While this volume has been passing through the Press, rioting of a character unknown in England since the violent agitation which preceded the Reform Act of 1832 has occurred in Yorkshire in connection with a great strike of coal-miners. Troops were called out, and in the neighborhood of Pontefract two men were shot down by the soldiers. No fatal collision between troops and the people had occurred since the fight at Peterloo, Manchester, in 1819. Previous to the firing upon the rioters at Featherstone, Pontefract, the Riot Act had been read by a magistrate.

The action of the Home Office in sending troops to the scene of the disorder was strongly condemned by the Labor Members of the House of Commons in interviews and at public meetings; and in the debate on the Appropriation Bill in the House of Commons, on the 21st of September, 1893, Mr. H. H. Asquith, the Home Secretary, justified his action, and made an important statement as to the constitutionality of what he had done, and as to the duty of the Home Office and the duty of the local magistrates on occasions of great popular tumult.

"It seems difficult and almost impossible," said the Home Secretary, "to get people to understand what are the functions and what are the responsibilities of the Executive Government when

a local disturbance arises. It cannot be too clearly laid down that the responsibility for the prevention and for the suppression of local disorder lies in England, according to our law, where it has always lain from the very earliest period of our history, — with the local authorities. So deeply is that principle ingrained in our law, that when from the failure on the part of the authority to do its duty damage is done through riot, it is not the public exchequer, but formerly the inhabitants of the hundred, and now the ratepayers of the police district, who have to make good the damage. In the same way, when some fifty or sixty years ago we substituted for the old system of parish constables and town watch our county and borough police, the administration of the force so created was everywhere outside London given to the local authority in whose district it is raised. That being the case, what is the position of the Secretary of State? According to the ideas which seem to prevail in some quarters, and according to much language which is used on public platforms and in the press, it might be supposed that the Home Secretary is in the position of the Minister of the Interior in France, or of my right honorable friend, the Chief Secretary for Ireland — that he is the heart of a centralized police machinery. The Home Secretary is nothing of the kind. I entirely disclaim on behalf of myself and of all persons who may succeed me in this office any responsibility for the way in which the local police force is governed and administered. By a practice which has gradually grown up, it has become almost the duty of the Secretary of State, in cases of emergency such as this, to give advice to the local authorities; but it is advice which they are perfectly at liberty either to accept or to reject. The responsibility for taking the one course or the other rests with them alone. The Secretary of State is, further, the channel through which the demands of the local authority, when their own police resources are insufficient, for additional force, and particularly military force, usually proceed. Further than that, it is undoubtedly his duty, if the local authorities are found to be guilty either of excess or remissness in the discharge of the duties which the law casts upon them, to conduct such an inquiry or such legal

proceedings as the nature of the case may require. The Secretary of State, by withholding a certificate which the Act of Parliament empowers him to give at the end of the financial year, has the power of depriving a local police force of its share in the Imperial contribution; but he can only do that if he is satisfied that the police have not been kept in a state of efficiency and discipline during the year. That, as I say, is a complete and exhaustive statement of the duties of the Home Secretary. I am not going to say anything in the way of criticism of the system. It has its drawbacks, no doubt, when, as in a case like the present, the area of disturbance is widespread, when it extends over several counties, and when, from the nature of things, it is almost impossible that different local authorities, each naturally bent on the affairs of its own district, should take concentrated and uniform action. But, on the other hand, in my opinion, the advantages of the arrangement infinitely outweigh its drawbacks. I think it would be an evil day for the administration of justice and the maintenance of law and order in this country if we were to centralize that which is at present local; to transfer from the shoulders of the magistrates the police authority and concentrate it on the Secretary of State, a duty which experience in all countries has shown can only be adequately performed by persons of local knowledge and local responsibility. In my opinion, the privilege of local self-government ought to carry with it the responsibility for the maintenance of local order. I thought it right to state this view of general principles because the case now under consideration is, after all, only a typical case. In the comparatively short time I have been at the Home Office, this is the fourth or fifth occasion — some of them of great gravity — in which I have had to consider what the powers and duties of the responsible Ministers were; and I do trust that it may aid in clearing up misconception in the public mind and, perhaps, in producing a somewhat fairer estimate of the manner in which the Executive attempts, at any rate, to discharge its duty, if the public outside would clearly realize what are the limits of our functions and responsibilities."

APPENDIX H.

THE QUEEN'S PROCLAMATION FOR THE ENCOURAGEMENT OF PIETY AND VIRTUE.

SINCE 1860 it has been the practice at the opening of all Assizes for the trial of criminal cases, for the clerk of Assize to read the Queen's Proclamation "for the Encouragement of Piety and Virtue, and for the Preventing and Punishing of Vice, Profaneness, and Immorality." The proclamation is as follows: —

BY THE QUEEN.

A PROCLAMATION

For the Encouragement of Piety and Virtue, and for tne preventing and punishing of Vice, Profaneness, and Immorality.

We most seriously and religiously considering that it is Our indispensable duty to be careful, above all other Things, to preserve and advance the Honour and Service of Almighty God, and to discourage and suppress all Vice, Profaneness, Debauchery, and Immorality, which are so highly displeasing to God, and so great a Reproach to our Religion and Government: To the Intent, therefore, that Religion, Piety, and Good Manners may flourish and increase under Our Administration and Government, We have thought fit, by the Advice of Our Privy Council, to issue this, Our Royal Proclamation, and do hereby declare Our Royal Purpose and Resolution to discountenance and punish all Manner of Vice, Profaneness, and Immorality, in all Persons of whatsoever Degree or Quality within this Our Realm: And We do expect and require, That all Persons of Honour, or in Place of Authority, will give good Example by their own Virtue and Piety, and to their utmost contribute to the discountenancing Persons of dissolute and immoral Lives: And We do hereby strictly enjoin and prohibit all Our Loving Subjects, of what Degree or Quality soever, from playing, on the Lord's Day, at Dice, Cards, or any other Game whatsoever, either in Public or Private Houses,

or other Place or Places whatsoever: And We do hereby require and command them, and every of them, decently and reverently to attend the Worship of God on every Lord's Day. Our further Pleasure is, and We do hereby strictly charge and command all Our Judges, Mayors, Sheriffs, Justices of the Peace, and all other Our Officers and Ministers, both Ecclesiastical and Civil, and all other Our Subjects whom it may concern, to be very vigilant and strict in the Discovery and the effectual Prosecution and Punishment of all Persons who shall be guilty of dissolute, immoral, or disorderly Practices; and that they take care also effectually to suppress all Public Gaming Houses and Places, and lewd and other disorderly Houses; and also to suppress and prevent all Gaming whatsoever, in Public or Private Houses, on the Lord's Day; and likewise that they take effectual care to prevent all Persons keeping Taverns, or other Public Houses whatsoever, from selling Wine, Beer, or other Liquors, or receiving or permitting Guests to be or remain in such their Houses, in the time of Divine Service on the Lord's Day. And for the more effectual proceeding herein, We do hereby direct and command all Our Judges of Assize and Justices of the Peace to give strict Charges at their respective Assizes and Sessions, for the due Prosecution and Punishment of all Persons that shall presume to offend in any of the Kinds aforesaid; and also of all Persons that, contrary to their Duty, shall be remiss or negligent in putting the said Laws in execution; and that they do, at their respective Assizes and Quarters Sessions of the Peace, cause this Our Royal Proclamation to be publicly read in open Court immediately before the Charge is given.

Given at Our Court at Buckingham Palace, this Ninth Day of June, one thousand eight hundred and sixty.

God Save the Queen.

APPENDIX I.

DISTRIBUTION OF PARLIAMENTARY REPRESENTATION.

THE total number of voters on the electoral rolls for the United Kingdom in 1892 was 6,229,120. In the 234 English county divisions the number was 2,564,941; in the 19 county divisions of Wales, 189,922; in the 39 county divisions in Scotland, 343,392; and in the 85 county divisions in Ireland, 637,757. The total number of voters in county divisions was 3,736,062. In the 226 English boroughs the number of voters was 2,011,369; in the 11 Welsh boroughs, 80,354; in the 31 Scotch boroughs, 258,593; in the 16 Irish boroughs, 105,119. The total number of borough voters was 2,455,335. In the university constituencies returning altogether nine members, there were 37,773 voters. In those of Oxford, Cambridge, and London, which return five out of the nine members, two for Oxford, two for Cambridge, and one for London, there were 16,172 voters; in those of Scotland, Edinburgh, and St. Andrews, and Glasgow and Aberdeen, which return two members for the four universities, the number of voters was 17,106; and in the Dublin University constituency there were 4,495 voters.

In the English and Welsh county divisions there were 497,247 persons entitled to votes in respect of the ownership of land; 2,226,285 entitled to vote as occupiers of land, houses, cottages, and other premises; and 31,331 lodger voters. In the English and Welsh boroughs there were 1,950,178 occupation voters; 29,112 lodger voters; and 112,433 freeholders and freemen.

The freemen's franchise is one of some antiquity. It exists

mostly in the ancient boroughs, like the City of London, Chester, and Norwich, and is possessed by men who are on the roll of freemen for the borough. Birth, or apprenticeship to a freeman, confers the freedom in these old boroughs; and among other privileges enjoyed by freemen is that of a vote at Parliamentary elections in addition to, and irrespective of, any rating qualification. If a freeman becomes a pauper, he does not lose his vote, as is the case with an elector who was on the voters' list as an occupier of premises in respect of which Poor Rates were paid. Many of the older English towns — those which had a corporate existence before the Municipal Reform Act of 1835 — possess this right of conferring their freedom on their citizens. Since 1885 the new boroughs have had the right of conferring honorary freedoms. These honors, however, are sparingly bestowed, and are generally reserved for men who have distinguished themselves in politics, art or letters, science or travels. Occasionally they are bestowed on men who have rendered signal service to the municipality, either in the town itself or in Parliament.

At the time the foregoing statistics were compiled for presentation to Parliament, the population of England and Wales in round figures was 29,000,000. The total number of voters was 4,846,586. The number of electors to a constituency varies considerably, the redistribution of seats in 1885 not having been very symmetrically arranged. Thus, for example, while the Biggleswade division of Bedfordshire had 13,747 electors, the South Molton division of Devonshire had only 8,654. In Lancashire, the Stretford division had the greatest number of electors, 15,702; and the Heywood division the smallest, 9,081. As regards the large English cities, Liverpool, which in 1893 had 74,886 electors, has nine members; Birmingham, with 80,386 electors, has seven members; Manchester, with 63,069 electors, has six members; and Leeds, with 57,637 electors, has five members.

The accompanying table shows the distribution of seats in the House of Commons over the constituencies of England, Wales, Scotland, and Ireland: —

ENGLAND.		TOTALS.
London. —	Boroughs	61
	University	1
Provinces. —	Boroughs	165
	Universities	4
	Counties	234
Total		465
Wales. —	Boroughs	11
	Counties	19
Total		30
Scotland. —	Boroughs	31
	Universities	2
	Counties	39
Total		72
Ireland. —	Boroughs	16
	University	2
	Counties	85
Total		103
UNITED KINGDOM.		
Boroughs		284
Counties		377
Universities		9
Total		670

APPENDIX K.

PARLIAMENTARY WHIPS.

THE circulars by which members of the House of Commons are summoned to attend the sittings and divisions are known as whips. They are sent out from the offices of the Parliamentary whips, and the urgency of the summons is indicated by the number of lines beneath the text of the circular. Four-line whips were formerly used for occasions of great importance, such, for instance, as when a critical division was pending; but during the debates on the Home Rule Bill in the session of 1893, five-line whips were continuously issued to the supporters of the Government and to those of the Opposition. Accompanying are fac-similes of whips sent out in the early weeks of May, when the Home Rule Bill was in committee. The second paragraph of the Liberal whip, that signed by the Right Honorable E. Marjoribanks, Patronage Secretary to the Treasury, was further emphasized by being underlined in red ink. Mr. Ackers Douglas, who signs the Opposition whip, was principal whip to the Conservative Party.

GOVERNMENT WHIP.

Your attendance in the House of Commons is most earnestly requested on Wednesday May 10th at 12 o clock when the Irish Government Bill will be continued in Committee

It is very particularly desired that no member shall absent himself from the House of Commons unpaired and that when absent paired Hon. members will make a point of returning to the House punctually to the time their pair expires

E. Marjoribanks

OPPOSITION WHIP.

Most Important

on Thursday May 11th the
House will meet at 3 o'clock
The Government of Ireland
Bill Committee will be 1st Order.
Important Amendments
will be moved and frequent
Divisions are certain.
Your punctual attendance
at 4.30 is most earnestly and
especially requested.

A. Douglas

When a member of the House of Commons changes his political allegiance and passes over from, for instance, the Government benches to those of the Opposition, the only semi-official notification of the change at Westminster is the one the member himself gives to the whips. The custom on these occasions is for the member to intimate to the principal whip of the party with which he now intends to act and vote that he will in the future be glad to receive his whips.

APPENDIX L.

THE RELATIVE STRENGTHS OF THE ENGLISH AND OTHER EUROPEAN NAVIES.

THE idea which actuates England in the regulation of the size of the Royal Navy is that it should be equal to the combined fleets of any other two European powers. In August, 1893, it was reported by the Admiralty to Parliament that the English warships then in commission were 24 battleships, 3 coast defence ships, 60 cruisers, and 74 other ships not torpedo boats; total in commission, 161; in reserve, 10 battleships, 14 coast defence ships, 46 cruisers, and 44 other ships not torpedo boats. In building and completing for sea, 9 battleships, 19 cruisers, and 22 other ships; total, 325. France was in this return reported as having in commission 19 battleships, 5 coast defence ships, 23 cruisers, and 50 other ships not torpedo boats; while she had in reserve 5 battleships, 3 coast defence ships, 20 cruisers, and 62 other ships; and in building and completing for sea, 8 battleships, 2 coast defence ships, 19 cruisers, and 5 other ships; total, 221. Germany was stated to have in commission 11 battleships, 14 cruisers, and 19 other ships; in reserve, 3 battleships, 6 coast defence ships, 17 cruisers, and 5 other ships, besides 7 battleships, 3 cruisers, and 1 other ship building and completing for sea; total, 86. England at the date of this report thus possessed 325 warships, as compared with 307 belonging to France and Germany combined. Belonging to the English colonies there were also 20 warships. England in August, 1893, had 50 warships building, while France and Germany together had 45. Russia had 120 warships, and Italy 93.

APPENDIX M.

HOURS OF LABOR IN FACTORIES.

THE Factory and Workshops Acts draw distinctions between textile factories, non-textile factories, workshops, and domestic workshops. In textile factories, young persons and women may not work more than ten hours a day on ordinary days, and six and a half hours on Saturdays, exclusive of meal-times. Over-time is prohibited in textile factories. In non-textile factories young persons and women may work ten and a half hours a day on ordinary days, and seven and a half hours on Saturdays, exclusive of meal-times. In certain classes of these factories a limited amount of over-time is permitted. In workshops where no persons under eighteen are employed, if due notice has been given to the factory inspector, women over eighteen years of age may be employed from nine A.M. to nine P.M., or from ten A.M. to ten P.M., on ordinary days; but if the occupier of the workshop, after such notice, intends to employ children or young persons, he must give notice of his intention to the factory inspector, and he may not change his system oftener than once a quarter. Any workshop in which a woman or young person not a member of the family of the employer is employed, is subject to the factory regulations. Even in domestic workshops, in which only members of the family are employed, the hours of young persons are subject to regulation. Parents employing young persons, members of their family, in domestic workshops after nine o'clock at night are liable to a penalty. In non-textile factories and workshops, in which articles of wearing apparel are being made, as well as in a large number of other cases provided for by the law, young persons and women may be employed from eight A.M. to ten P.M., with two hours interval for meals, for forty-eight days in the year, provided due notice is given to the factory inspector.

APPENDIX N.

GOVERNMENT AND THE SAVINGS BANKS.

THE savings banks in England are divided into two classes, — Post Office banks and trustee savings banks. The Post Office banks are entirely under the control of the Government. In 1893 there were 9,478,339 depositors in these banks, and the amount standing to their credit was £22,845,031. The trustee savings banks are largely controlled by the Government. These banks date from 1799. In 1807 they were so numerous that Parliament passed an Act for their management and control. This has been supplemented by several other measures; and, as the law now stands, while the management is left to local administrators, who are precluded from receiving any remuneration or making any profit, the principle of State control is combined with voluntary effort by clauses of the Act of Parliament which require that the whole of the funds of the savings banks shall be invested in Government securities through Commissioners for the Reduction of the National Debt. In November, 1892, the number of accounts was 1,501,920, and the amount standing to the credit of the depositors was £42,385,031. Of this sum all but £117,000 was invested with the National Debt Commissioners. Scotland stands much higher in the scale of thrift than either England and Wales or Ireland; for while the amount due to England, with its 29,000,000 inhabitants, is about £1 a head of the population, Scotland, with its 4,000,000, has £10,000,000 on deposit in the trustee savings banks.

INDEX.

INDEX.

Act of Parliament, entitling of, 207.
Address to the Crown on Queen's Speech, 185; ceremony attending moving of, 186; debate on, 186.
Admiralty, 234; Lords' Commissioners of, 234; contractors to, and fair wages, 291.
Admiralty Division, 120; cases coming before, 121.
Agent, Parliamentary Election, employment of, 160.
Agricultural Holdings Act, 296.
Agriculture, Board of, 232; and Common Land, 301.
Aldermen, election of, 9; common to borough, county borough, and county, 10; no salary, 10; qualifications for, 10.
Alkali Works Regulation Act, 283.
Allotments, 302; Act, 302.
Ambassadors and Foreign Office, 236.
Appeal in criminal cases, 112.
Appeal, Court of, 120.
Apprentices and Factory System, 277.
Appropriation Bill, 212; before prorogation, 217.
Archbishops, appointment of, 255.
Armorial Bearings, tax on, 140.
Army, enlistment and service in, 260; Annual Act, 261; strength of, 261; short service system in, 262; pay and promotion in, 262; appointment of officers in, 263.
Artisans, taxation of, 141.

Asquith, Mr. H. H., his statement of duties of Home Office in regard to local disorder, 341.
Assizes, buildings for, 23; cases sent to, 97; circuits, 105; judges at, 105; procedure at, 109; cost of trials at, defrayed by county, 115; Queen's Proclamation at, 344.
Australian Colonies and emigration from England, 239.
Axholme, Isle of, 304.

Ballot Act, 158.
Balloting papers, 166; secrecy of, 166.
Bankruptcy Laws, administration of, 118; creditors' meetings, 118; certificates of discharge under, 119; disabilities of bankrupts under, 119; and Board of Trade, 231.
Banns of Marriage, publication of, 247.
Bar, etiquette of, 123.
Bar of the House of Commons, 174.
Baronetcy, Debrett's List, 224; how earned, 224; and newspaper proprietors, 323.
Barrister, definition of, 96; on assize circuits, 105; in court, 109 and 111; in county court, 117; fees of, 123; as members of House of Commons, 222; and Government patronage, 222.
Beaconsfield, Earl of, Income Tax during his 1874–81 Administration, 135; and Agricultural Holdings Act, 296.
Bill, Parliamentary, stages of, 195; distinction between private member's and Government, 195; introduction of, 196; second reading of, 196; committee stage of, 200; how drawn up, 204; report stage and third reading of, 206; taken up to the House of Lords, 206; Royal Assent to, 207.
Bishops in House of Lords, 168; and marriage laws, 246; presence in House of Lords objected to by Nonconformists, 254; appointment of, 255.
Black Cap, 112.
Black Rod, 171; and opening of Parliamentary session, 183; and ceremony attending Royal Assent, 207; and prorogation of Parliament, 216.
Blue Books, 326.
Boards of Guardians for the Relief of the Poor, administer poor laws, 9; voting qualifications for, 40; qualifications for membership of,

41; politics and, 42; duties of, 44; meetings of, 45; newspaper reports of meetings of, 46; typical cases before, 46; and school attendance committees, 56 and 64.
Boards of Health, area and duties of, 25.
Board Schools, religious instruction in, 76.
Board of Trade Journal, 231; description of, 325.
Board of Trade Returns, 324.
Boards of Works, London, area and jurisdiction of, 27.
Booth, Mr. Charles, 131.
Borough Rate, 21.
Boroughs, definition of, 2; old charters of, 5; corrupt, 5; commission of inquiry into the corruption of, 6; constitution of old corporations of, 6; popular distrust of old corporations of, 7; incorporation of, 9; Parliamentary constituencies, 144; time allowed for Parliamentary elections in, 165; bills in Parliament for, and services of local members, 220.
Brewster sessions in boroughs, 93; in country districts, 105.
Bribery, at Parliamentary elections, 160; punishment of, 162.
Bridges, maintenance of, 23.
Bridgman, Orlando, 293.
Bristol, its waterworks, 23.
British and Foreign School Society, 59.
British Schools, 69.
Broadhurst, Mr. Henry, 226.
Bryce, Prof., 233.
Budget, in House of Commons, 212; and Treasury Department, 235.
Burial Laws, and Home Office, 230.
Burt, Mr. Thomas, 225.
Buxton, Mr. Sidney, and half-time children, 280.

Cabinet, membership of, 178; re-election after appointment to, 181; salaries and pensions of members of, 241.
Canada and emigration from England, 239.
Candidate, Parliamentary, selection of, 154; election expenses paid by, 154; list of, at political party headquarters, 156; his introduction to constituency, 156; his canvass, 157: social and public appearances of, 158; limitation of his expenditure, 159.

Canons and cathedral, 256.
Canterbury, ecclesiastical province of, 255; Arches Court of, 256.
Carpet Baggers and House of Commons, 156.
Casual Poor Act, 54.
Cathedral, control of, 256.
Central Poor Law Board organized, 38; became Local Government Board, 39; work of, 39; history of, 228.
Chairman of Committees, in House of Lords, 169; in House of Commons, 20.
Chairman of Ways and Means, duties of, 208.
Chancellor of the Exchequer submits financial statement to Parliament, 127; political head of Treasury, 178; and Budget, 212; duties of, 235.
Chancery Division, 120; cases coming before, 120.
Chaplain, Speaker's, 187.
Check-Weighman, position under Mines Regulation Acts, 283.
Children, hours of labor of, 279; Acts of 1878 and 1891 concerning, 280.
Chiltern Hundreds, Stewardship of, 219.
Church Livings, patronage of, and Roman Catholics, 253.
Church Rates, 251.
Churchwardens, 257.
Citizenship, teaching of, in evening schools, 82.
Civil Service, constitution of, 268; divisions of, 268; certificates for, 269; politics and, 269; salaries in, 270; Plairfair Commission and, 270; White Ridley Commission and, 270; boy-clerkships in, 271; retirement from, and pensions, 272; factory and school inspectors and, 272.
Clergymen, responsibilities of, to parishioners, 259.
Clerk of the Commons House of Parliament, and election of Speaker, 172.
Closure in House of Commons, 203.
Clubs, local political, 153.
Coal Miners and mining royalties, 298.
Code, Education, drawn up annually, 76; and Parliament, 229.
Colonial Office, history and work of, 237.
Colonies, classes of, 238; Governors of, 238; agents general of, in London, 239; and emigration from England, 239.

Commissioner of Works, First, duties of, 232.
Committee, Local Political, 153.
Committees, Parliamentary, on Private Bills, procedure before, 214.
Committee, Parliamentary, of Selection, duties of, 215; draws up Chairmen's Panel, 215.
Committee, Select, work of, 214; on sweating, 287.
Committee, Standing, appointment of, 215.
Committee of Supply, procedure in, 208; Parliamentary heads of State Departments and votes in, 210; discussion of grievances on votes in, 211; work of, 212; votes in, reported to House of Commons, 212.
Committees of Town Council, 15; meetings and work of, 15.
Committee of Ways and Means, and Budget night, 213.
Committee of Whole House, instructions to, 200; formalities on going into, 200; procedure in, 201; discussion of bills in, 204; bills reported from, 206.
Common Land, 301.
Commons, membership of, 143.
Commons Preservation Society, 301.
Commonwealth, and entail, 293.
Compensation for improvements on farms, 297.
Confidence, votes of want of, 176.
Conscience Clause, in Forster Act, 75.
Conservative, National Union of Associations, 155.
Constabulary, County, 26; control of, 90.
Consuls, and Foreign Office, 236.
Contempt of Court, imprisonment for, 117.
Contentious Business in House of Commons, and twelve o'clock rule, 205.
Contracts, Government, and fair wages, 289.
Convocation, 256.
Copyhold, 300.
Copyholders, and minerals and timber, 300.
Coroner, warrant of, 98; election and tenure of office and duties of, 9; jury in court of, 99; and executions, 113.
Corrupt Practices Act, 158; and bribery, 160; and treating, 161; and undue influence, 162; passage of, 162.
Council, Queen in, 217.

County, 1; Parliamentary divisions of, 144; time allowed for Parliamentary election in, 165.
County Boroughs, 1; privileges of, 2.
County Council, franchise for, 24; committees of, 24; meetings and work of, 25; and allotments, 302.
County Courts, area of, 115; judges of, 115; registrar and high bailiff of, 116; cases before, 116; procedure in, 116; actions for debt in, 116; suits tried at, 117; juries in, 117; costume of judge in, 117; and bankruptcy cases, 118.
County Government, formerly in hands of landlords, 4; and landlords, 312.
County Government Act, 2; franchise under, 23; and landlords, 312.
Courts, Ecclesiastical, 256; Consistory, 256; of Dean of Arches, 258.
Court Houses, care of, 23.
Criminal Justice, expeditiousness of, 113.
Crown and Minerals, 297.
Crown Office, and Parliamentary writs, 163.
Customs Department, collects revenue, 126.
Customs Duties, for revenue only, 127; dutiable articles, 127.
Customs Houses, at seaports, 126.

Dashwood, Sir Francis, and Parliamentary reform, 145.
Dean and Chapter, 255.
Debt, actions for, in county court, 116.
Divorce Division, 120; cases coming before, 121.
Doomsday Book, 292.
Drainage Board, in Isle of Axholme, 305.
Dunraven, Lord, 290.
Duty, Inhabited House, and direct taxation, 128; classification for, 137; rate of, in 1892–93, 137; examples of, 138; by whom paid, 139; abatements of, 139.
Duty, Probate and Legacy, 141.

East India Company, 240.
Education, Committee of Council for, established, 59; reorganized, 60; duties of, 228.
Education Department, and voluntary schools, 65; and establishment of school boards, 67; history of, 229; duties of, 229; constitution of, 229.

Election, Parliamentary, procedure at, 152; forbidden expenditure at, 159.
Elementary Day Schools, Government grants to, 59; payment by results in, 60; voluntary effort insufficient, 61; compulsory attendance at, 66; inadequate accommodation in, 66; religious teaching in, 69; definition of, 74; standards in, 76; statistics of, 328; curriculum of, 337; statistics of, 340.
Elementary Education Acts, by whom administered, 56; first Act passed, 62; amendments to, 62; voluntary schools and school boards under, 63; control of voluntary schools under, 64.
Emigrants' Information Office, 239.
Employers' Liability Act, actions in county court under, 118; provisions of, 285; amendment to, 287.
Employers and Workmen's Act, 284.
England, Members in House of Commons for, 143.
Entail, 293.
Epworth, Isle of Axholme, 305.
Established Church, position of, 243.
Eton Public School, 83.
Evening Schools, payment of teachers in, 81; objects of, 82; teaching of citizenship in, 82.
Examiner of Plays, office of, 232; as Government patronage, 320.
Exchequer, Imperial, contributions of customs to, 127.
Excise Department, collects revenue, 126.
Excise Duties, amount of, and by whom paid, 127; tenure of collectors of, 127.
Executioner, 114.
Execution of Criminals, 113; and newspaper press, 113; procedure after, 114; burial of bodies after, 114.

Factory Acts, inspectors under, and civil service, 272; assistant inspectors under, 273; women inspectors under, 273; history of, 276; early administration of, 277; half-timers under, 278; and workshops, 280; and interference with men's labor, 281; and cotton-weaving sheds, 284; amendments to, 287.
Farmers, Tenant, tenure of, 295; and game laws, 308; politics of, 310.
Featherstone Riots, 339.
Fenlands and peasant proprietors, 303.

Foreign Affairs, Secretary of State for, 236.
Foreign Office, constitution of, 236.
Forster, W. E., and Education Act, 62.
Fowler, Mr. Henry, and rating qualifications for Poor Law guardians, 42.
Franchise, Parliamentary, 144; under Act of 1832, 146; under Act of 1867, 147; under Act of 1884, 147; disqualifications for, 151.
Free Education Act, 77.
Freemen and the Franchise, 344.
Free Trade in England, 127.
French Revolution and English Parliamentary Reform, 145.
Friends, Society of, and marriage laws, 250.
Front Opposition Bench, seats on, 187.

Game, reserved by landlords, 296; close time for, 307; trespassing in search of, 307; licenses for killing and selling, 309.
Game Laws, 306.
Gamekeepers, and old forestry laws, 306.
Gladstone, Mr. W. E., Administration of 1892, and rating qualifications for Poor Law boards, 42; Administration of 1868–74, and Education Act, 62; and Corrupt Practices Act, 162; membership of his 1892 Ministry, 179; and Agricultural Holdings Act, 297; and titles for journalists, 323.
Gorst, Sir John, 290.
Government Publications, 323.
Grammar Schools, and national education, 59.
Grants in aid, 128.
Graveyards, Parish, control of, 230; and Nonconformists, 251.
Grey, Earl, and Parliamentary Reform, 146.
Ground Game Act, 308.

Half-Time System, establishment of, 278; where prevalent, 279.
Hansard's Parliamentary Debates, 324.
Harbors, control of, 231.
Harrow Public School, 83.
Health and Morals Act, 277.
Health Acts, and Poor Law guardians, 57.
High Court of Justice, judges of, 105; divisions of, 120; local registries in connection with, 121.

High Court of Parliament, 170.

High Sheriff, office and appointment of, 106; duties of, 107; receives the judges, 107; summons juries, 110; arranges executions, 113; acts as returning officer, 165.

Home Office controls Metropolitan Police, 29; controls prisons, 103; duties of, 230; and employment of women about mines, 279; and inspection of cotton-weaving sheds, 284; and local police during times of disorder, 341.

Home Secretary, and condemned criminals, 112; duties of, 230; appointment of, 230; and Alkali Works Regulation Act, 283; and local magistrates, during times of popular disorder, 341.

House of Commons, Leader of, 179; Prime Minister and leadership of, 179; hours of, 187; prayers in, 187; members' seats in, 187; wearing of hats in, 188; orders of the day in, 188; preliminary business in, 188; petitions to, 189; leave of absence from, 190; questions in, 191; motions at commencement of public business in, 192; motions of adjournment in, 192; motions concerning the conduct of business in, 193; introduction of new members in, 193; dinner hour in, 198; divisions in, 199; lobbies of, 200; tellers in, 200; disorderly conduct in, 203; closure in, 203; Government and time of, 205; twelve o'clock rule in, 205; votes of money in, 208; redress of grievances, 208; quorum in, 209; counts out, 209; character of membership of, 222; business men in, 223 and 225; and sweating, 289; and fair wages, 291; and landlords' representation, 309.

Improvement Rate, 21.

Income Tax, and direct taxation, 128; assessments for, 129; schedules for, 129; example of, 129; assessors of, 130; how collected, 131; and small investors, 131; deductions allowed, 132; commissioners of, 133; appeal against assessment for, 133; rates of, since 1863, 134; differential rate of, and incomes exempt from, 134; on £300 a year, 135; where paid, 136; on property, 138.

Incorporated Law Society, 97.

Indian Civil Service, examinations for, 269.

India Office, representation in Parliament, 237; history of, 240; and Council for India, 240.

India, Viceroy of, 241.

Industrial Schools, control of, 23.
Inns of Court, 96.
Inspectors, Civil Service and Factory and School, 272.
Ireland, members in House of Commons for, 144; representative peers from, 168.

Jews, and marriage laws, 250; disabilities of, 250.
Journal of House of Commons, and Speaker's vote, 200.
Journalists, as members of House of Commons, 222 and 225.
Judge, costume of, 111; address to jury of, 111; pronounces sentence, 112; appointment of, 122.
Judges' Lodgings, 23.
Jury, Common, of quarter sessions, 101; no pay for, 108; exemptions from, 108; number of, 110; challenging of, 110; duty of, 111.
Jury, Grand, police court depositions sent to, 98; duties of, 101; charge to, 102; qualifications of members of, 107; number of, 107; work of, 109.
Jury, Special, constitution of, 108; qualifications for, 108; pay of, 108.
Justice, Lord Chief, appointment of, 122.
Justice Rooms, care of, 23.

Knighthoods and newspaper editors, 323.

Labor Department, 325.
Labor Gazette, 231; description of, 325.
Labor, hours of, in factories and workshops, 354.
Labor, Representatives of, in House of Commons, 225.
Ladies' Gallery, 182.
Lancaster, Chancellor of Duchy of, 233.
Land, extent and division of, 292; conditions of tenure of, 296.
Lands in Isle of Axholme, 304.
Landlords, and yeomanry cavalry, 264; ground, 294; and legal position of tenants, 296; and farming, 297; and minerals, 297; and allotments, 303; and Parliament, 309; loss of power of, in Parliament, 311; and local government, 312; privileges of, 312.
Leases, 294.

Lefevre, Mr. Shaw, 289.
Legislature, constitution of, 171.
Liberal, National Federation, 155.
Licenses, for sale of liquor, granted by magistrates, 93 and 95; classes of, 93; renewals of, 94; endorsement of, by magistrates, 94; for dogs, 140.
Life Insurance, and Income Tax, 132.
Lincolnshire, and peasant proprietors, 304.
Liverpool, acquired waterworks, 23.
Lobby, House of Commons, admissions to, 322.
Local Government, statistics of cost of, 329.
Local Government Board, and municipal administration, 16; origin and constitution of, 228; President of, 228.
Lock-ups, care of, 23.
London, City of, government of, 26; relations to Greater London, 26; franchise in, 26; police force of, 27.
London County Council, established, 28; connection of, with vestries, 28; constitution of, 28; powers of, 29; limitations of, 29; meetings of, 31; radical control of, 31; officers under, 32; and sweating, 288.
London Gazette, 17; and bankruptcy advertisements, 119; dissolution of Parliament announced in, 217; announcement of death of member of Parliament in, 220; and naturalization certificates, 230; editorship of, 320; description of, 323.
London, Municipal Government of, 26; reform of, 26; water supply of, 30; gas supply of, 31.
London School Board, its jurisdiction, 27; salary of chairman of, 70; schools under, 71; membership of, 71; local managers of schools under, 72; and sweating, 288.
Lords of Appeal in Ordinary, 121; number of, 167; duties and position of, 167.
Lord Chamberlain, duties of, 232; and reporters' tickets for House of Lords, 321.
Lord Chancellor, appoints magistrates, 23, 91, and 103; approves appointment of registrar of county courts, 116; and appeal cases, 120; appointment of, 122; duties of, in House of Lords, 122; pension of, 122; appoints revising barristers, 150; acts as Speaker in the House of Lords, 169; reads Queen's Speech, 217.

Lords Commissioners, and new Parliament, 171.
Lords, House of, and appeal cases, 121; and Reform bill of 1832, 146; and General Elections, 167; membership of, 167; questions in, 192; and marriage laws, 246; and common land, 301; and land representation, 309.
Lord Lieutenant nominates magistrates, 23 and 103; office of, 103; and militia, 263.
Lunatic Asylums, control of, 23; management of, 51; maintenance of, 52.

Macdonald, Mr. Alexander, 225.
Mace, in House of Commons, 173; and transgressors at Bar of the House, 174.
Magistrates, control of military during riots, 93; and game licenses, 309.
Magistrates, Borough, appointment of, 90; duties of, 90; no salary, 90; political opinions and appointments of, 91; qualifications for, 92; clerk to, 92; powers of, 92; and liquor licenses, 94; not responsible to ratepayers, 95; cases before, 98; caution to prisoners by, 98; distinction between county and, 103; appointment of journalists as, 323.
Magistrates, County, appointment of, 23; and county patronage, 23; responsibility of, 24; deprived of local governing powers, 24; duties of, 24; control of county constabulary, 103; distinction between borough and, 103; qualifications for, 103.
Magistrates, Stipendiary, 96.
Manchester, acquired waterworks, 23.
Marriages, forms of, 247; certificates of, 248.
Marriage Laws, history of, 246; select committee on, 249.
Married Woman's Property Act, 132.
Married Women, deserted, under Poor Law, 47; income of, and Income Tax, 132.
Marine Officers' Certificates, 124.
Masters and Servants' Act, 284.
May, Sir Erskine, and Poor Laws, 38; and Mace, 174.
Mayor, election of, 9; no salary, 10; qualifications for, 10; member of the borough bench of magistrates, 11 and 90; costume of, 11; duties of, 11; semi-official and social calls on, 11; no patronage,

12; desire for the office of, 12; second terms of, 12; in council, 14; exercises no veto, 14; acts as returning officer, 163 and 165; and procedure at Parliamentary elections, 166.
Medical relief, under poor laws, 52.
Members of Parliament, no patronage, 91; their share in nomination of borough magistrates, 91; no salary, 154; titles used in addressing, 172; swearing in of, 175, seating of, 182; introduction of new, 193; resignation of, 219; raised to peerage, 219; expulsion of, 219; death of, 220; claims upon, for borough constituency, 220; claims upon, for constituents, 220; address meetings of constituents, 220; and changes in party, 352.
Metropolitan Asylums Board, 27.
Metropolitan Board of Works, 27.
Metropolitan Police, cost of, to ratepayers, 29; Radicals and, 30; maintenance of, 89.
Militia Act, 260; annual suspension of, 261.
Militia, description of, 263; discipline of, and commissions in, 264; reserves, 264.
Millbank Prison, 289.
Minerals, ownership of, 297; and copyholders, 300.
Mines Regulation Acts, 278 and 282; and check-weighmen, 283.
Mines, Royal School of, 84.
Ministry, change of, 176; membership of, 177; re-election after appointment of, 181.
Motions, Parliamentary, for adjournment, 192; concerning conduct of the business of the House, 193.
Municipal elections, national politics in, 12.
Municipal indebtedness, 331.
Municipal officers, appointment and tenure of, 13; salaries of, 333.
Municipal Reform Act, 2; popular control the keynote of, 8; amendments to, 9; established borough benches of magistrates, 90.
Museums, maintenance of, 84.

National Art Training School, 84.
National Society, established, 59; grants to, 59.
Naturalization, 230.
Naval establishments and wages, 290.
Navy, control of, 35; service in, 267; and Parliament, 267; strength

of, 268; pay in, 268; relative strength as compared with other European, 353.
Newspapers, and municipal politics, 14; origin of, 314; taxes on, 314; in London, 315; in provinces, 315; establishment of new, 315; development of, 316; Parliamentary reports in, 317; reports of political speeches in, 318; reporting and editorial writing in, 318; political influence of, 319; and middle and working classes, 319; and Government, 320; Government rewards for services by, 320; and Government advertising and official communications, 321.
Night Poaching Act, 306.
Nonconformists, definition of, 244; disabilities formerly attaching to, 244; present disabilities of, 252.
Nomination of Parliamentary candidates, 165.
Normal School of Science, 84.

Oath, Parliamentary, 175.
Official Receiver in Bankruptcy, 118.
Orders of the Day, in House of Commons, 188; and questions, 191; their scope, 194.
Overseers of the Poor, 21; no pay for, 56.

Panel, Chairmen's, 215.
Parish, Ecclesiastical, 255; management of, 257.
Parliamentary Debates, Hansard's, 324.
Parliamentary Draughtsmen, 204.
Parliamentary Reform and quickening of political life, 5.
Parliamentary Reform of 1832, 3; creation of middle class electorate, 3.
Parliamentary Reform of 1867, creation of ten pound franchise, 4.
Parliamentary Reform of 1884, franchise conferred on rural laborers, 4.
Parliamentary Representation, distribution of, 346.
Parliament, unreformed, 145; dissolution of, 163; opening of new, 171; statutory life of, 216; prorogation of, 216; dissolution of, 217; proclamation for dissolution of, 218; and landlords and tenants, 296.
Pauperism, distribution of, 335.
Peasant proprietors in Fenlands, 303.
Peers, and Parliamentary elections, 168; and political demonstrations, 169.

Pensions and ex-ministers, 242; of civil servants, 272.
Perry, Canon, 243.
Petitions, Parliamentary, 189.
Petty Sessions, divisions of county for, 104.
Pitt, William, 145.
Plunket, Mr. David, 289.
Poachers and farmers, 296.
Poaching, 308.
Police and poaching, 308.
Police Forces, Borough, inspection of, by Home Office, 89; control of, by town council, 89.
Politics as a career, 223.
Pollock, Prof., and tenant farmers' politics, 310.
Poor Law guardians, no pay for, 43.
Poor Law valuation, 18.
Poor Laws, early system, 35; made compulsory, 36; connection with church, 36; four epochs of, 36; "Pig-Sty Era," 37; reform of, 38; principle of, 44; in-door and out-door relief under, 44; illustrations of working of, 45; tenure of officers under, 45; out-door relief, 46; in-door relief, 47; recreant husbands and putative fathers and, 48; unmarried mothers and, 49; and old age, 49; and orphans, 50; and education of children, 51; and lunatics, 51; statistics of cost of, 334.
Poor Law Reform, 3.
Poor Rate, 21; in town and country, 55; collection of, 56.
Postmaster-General, 231.
Post-Office, political head of, 231; and savings banks, 231; women in, 273; and civil service, 274; pay of letter carriers, 275.
Premier, and choice of Cabinet, 177; duties of, 179; and appointment of bishops, 256.
Presentations at Court, 232.
Press. See Newspapers.
Press Galleries in House of Commons, admission to, 321.
Prime Minister. See Premier.
Prisoner, arraignment of, 111; under sentence of death, 112.
Prisons and Home Office, 230.
Private Bill, definition of, 16; procedure in regard to, 17; stages of, 189.

Private Bill Office, 17.
Private Members' bills, procedure in regard to, 213.
Probate Division, 120; cases coming before, 121.
Proclamation for Dissolution of Parliament, 218.
Prosecutions, Director of Public, 115.
Public Houses, hours of closing of, in towns, 94; in country, 105; control of, 94.
Public Works and Buildings, Office of, 232; and Millbank Prison, 290.
Public Worship Regulation Act, 257.

Quarter Sessions, county administration in, 23; cases sent to, 97; two classes of, 100; procedure at, 102; appeals heard at, 102; former administrative powers of, 102; cost of trials at, defrayed by county, 116.
Queen's Bench Division, 120.
Queen's Counsel, legal standing and privileges of, 122; fees of, 123.
Queen's Proclamation for the encouragement of Piety and Virtue, 344.
Queen's Regulations of Army, 93.
Queen's Scholarships, 61.
Queen's Speech at opening of Parliament, 183 and 184; measures mentioned in, 185; discussions of, in House of Commons, 186; before prorogation, 217.
Questions in Parliament, to whom put, and rules concerning, 191; number of, 192.
Quorum in House of Commons, and counts out, 209; and Government business, 210,

Railway Accidents, inquiries into, 124.
Railway Commissioners, 125; and hours of labor on railways, 282.
Railway Servants' Hours of Labor Act, 281.
Ratepayer, distinction between taxpayer and, 18; a typical, 20; in London, 33.
Rates, assessment for, 18; assessment committee in session, 19; appeals from assessments for, 19; paid by occupier, 19; exemptions from, 20; .collection of, 21; in London and in provincial towns, 34; distraint for, 34; or local taxes, 126.
Recorder, appointment and duties of, 100.
Redistribution of Seats Act, 147.

Reform Acts, Parliamentary, 144; of 1832, 145; of 1867, 147; of 1884, 147.
Registrar of County Court, appointment and duties of, 116.
Registrar General of Births, Marriages, and Deaths, 248.
Registrar of Marriages, local, 248; attendance at marriages, 249.
Registration, Parliamentary, agents of political parties and, 150.
Registries, local, of High Court of Justice, 121.
Rent, ground, 294.
Reporting, Parliamentary and political, 317; and editorial writing, 318; non-partisan, 319.
Reserves, militia, 264.
Revenue, Imperial, 126.
Revenue, Inland, how raised, 128; Board of, 133.
Revenue, Inland, Department, collects direct taxes, 126; and game licenses, 309.
Revising Barrister, court of, 146, procedure before, 151.
Riot Act, duty of reading, 92.
Ritualists, 258.
River conservators, 231.
Roads, care of, 23.
Roman Catholics received full citizenship, 245; present disabilities of, 252; and presentation to church livings, 253.
Royal assent to bills, 207.
Royal Commission on Poor Laws, 37; on Mining Royalties, 298.
Royal Commissions, 216.
Royal Household, supervision of, 232.
Royal Statistical Society, 131.
Royalties, mining, 297.
Rural laborers, and allotments, 302; politics of, 311.
Rural Sanitary Authorities, areas and duties of, 25; expenses of, 57; connection with Poor Law, 57.
Russell, Lord John, introduced municipal reform, 8; opposed to aldermanic principle, 10; and Parliamentary Reform, 146; and marriage laws, 246.

Sacrament, as a qualification for public office, 245.
Saint Stephen's Chapel and Hall, 182.
Salisbury, Marquis of, and reform of county government, 26; and

Royal Commission on Mining Royalties, 298; and titles for journalists, 322.
Sanitary Authorities, and allotments, 302.
Savings Banks, Post-Office, 231; and Government, 355; trustee, 355.
School Attendance Committees, and voluntary schools, 63; duties of, 65.
School Boards, where established, 63 and 66; membership of, and voting for, 69; politics, 70; no payment for service on, 70; tenure and appointment of officers of, 70; rating for, 77.
School books, 77.
School of Design, 83.
School grants, first made, 59; on results, 60; on average attendance, 66, amount of, 77; total grants in 1892, 86.
School inspectors, first appointed, 60.
Science and Art Department, established, 83; grants to, 84; local classes under, 84; examinations of, 85; grants to successful students, 85.
Scotland, members for, in House of Commons, 144; election of peers from, 167.
Secretaries of State, the five Principal, 230.
Septennial Act, 216.
Sergeant-at-Arms in House of Commons, 173; costume of, 184; and prorogation of Parliament, 217; and reporters' tickets, 321.
Session, Parliamentary, opening of, 183; closing of, 217.
Sewers Rate, 21.
Short Service System, in army, 262.
Small Holdings, 303.
Socialists, in London County Council, 32; in House of Commons, 222 and 226.
Soldier, pay of, 262.
Solicitor, definition of, 97; in county courts, 117; as member of House of Commons, 222.
Somerset House, and marriage records, 248.
Sovereign, and change of Ministry, 177; and choice of premier, 177; in constant communication with premier, 179.
Speaker of House of Commons, election, salary, and duties of, 171; Chair of, 173; attendance in House of Lords after his election, 174; and Parliamentary oath, 176; and reading of Queen's

Speech, 184; Eye of, 197; and casting vote, 200; and ceremony attending Royal Assent to bills, 207; and prorogation, 217; and admission of journalists to lobby of House of Commons, 322.
Squirearchy, loss of local power of, 2.
Standards, in elementary day schools, 337.
State Departments, represented in Parliament, 227; and changes of Ministry, 241.
Supreme Court of Judicature, 120.
Surveyors, Borough, salaries of, 333.
Sweating, Select Committee on, 287.

Taxation, direct and indirect, 126; of working classes, 141.
Tax, on armorial bearings, on man-servant and on checks, 140.
Taxes, Imperial, 18.
Taxes, surveyor of, 129.
Teachers, Elementary Day School, grants in augmentation of salaries of, 61; certificates of, 61; training of, 78; institutions for training, 78; pupil, 79; salaries of, 80.
Technical education, 83; organized, 85; grants in respect of, 85; Acts, 85.
Telegraphs, control of, 231; and Civil Service, 274; school for clerks, 274; salaries of clerks, 275; promotion of clerks, 275.
Tenancies, yearly, 294.
Test Acts, University, 251.
Theatres, licensing of, 232.
Tithes, 295.
Toleration Act, 245.
Town Clerks, salaries of, 333.
Town Council, constitution of, 9; voting in, 14; open to press, 14; powers of, 16; revenue of, 18.
Town Councillor, election of, 9; no salary, 10; qualification for, 10.
Trade, Board of, and Science and Art grants, 83; and bankruptcy laws, 118; and marine inquiries, 124; and marine officers' certificates, 124; and railway accidents, 124; history and duties of, 231; President of, 231; and Railway Servants' Hours of Labor Act, 281.
Trade Unionism, and employment of women about mines, 279.
Traill, Mr. H. D., 117.

Training Ships, 267.
Tramps, treatment of, under poor law, 53; numbers of, 54.
Treasure Trove, 100.
Treasury Bench, in House of Commons, 182.
Treasury, First Lord of, 178; Patronage Secretary to, and Junior Lords of, 198; and votes of supply in House of Commons, 210; authority for disbursements, 211; constitution of, 235; duties of lords of, 236; and subcontracting, 288.
Truck Acts, 283.

Under-Sheriff, duties of, 107.
Union, Poor Law, 39; area of, 40; voting in, 40.
Universities, 83; parliamentary seats for, 143.

Vaccination, Compulsory Acts, and poor law, 57.
Vermuyden, 304.
Vestries, London, area and jurisdiction of, 27; connection with church, 27; extent of areas of, 28; qualification for membership of, 28; work of, 32; rating for, 33.
Vestry Meetings, 257.
Voluntary Schools, control and support of, 64; Government requirements in, 65; and avoidance of school boards, 67; working of, alongside board schools, 68.
Volunteers, history of, 265; standing of, 266; pay of, and grants to, 266; training of, 266; officers of, 267.
Voters, Parliamentary list of, 148; lodger, 152.

Wages, competition, and Government contracts, 291.
Wales, members for, in House of Commons, 144.
War Office, duties of, 234; and militia, 263; and volunteers, 267.
Watch Committee and Police force, 89; responsible to ratepayers, 96.
Water Rate, 22; of London, 31.
Waterworks and municipalities, 23.
Way-leaves, 298.
Westminster Hall, 183.
Whips, and choice of candidates, 155; and pairing of members, 190; and order of speakers in debates, 197; office of, 198; circulars issued by, 350 and 351.

William IV. and Parliamentary Reform, 146.
Wills, passed for probate, 122.
Women, vote for county councils, 24; vote for Poor Law guardians, 43; Poor Law guardians, 44; vote for school boards, 69; teachers' salaries, 81; factory inspectors, 273; in Post-office and Telegraph Department, 273; employment of, about mines, 278; and work in factories after childbirth, 281.
Woolsack, 169.
Workhouse, situation of, 40; officers of, 45; tenure of officers of, 45; vagrant ward in, 53.
Writs, Parliamentary and Post-office, 163; copy of, 164; return of, to Crown Office, 167; issue of, on death of member, 220.

Yeomanry Cavalry, history of, 264; description of, 264; strength of, 265; and landlords, 265.
York, Ecclesiastical Province of, 255; Chancery Court of, 256.
Young persons, definition of, under Factory Act, 278.

ERRATA AND NOTES.

PAGE 147, LINE 3. For "Assessed to the Relief of the Poor on a rating basis," read, "of a clear annual value."

PAGE 162, LINE 24. For "1881," read, "1880."

PAGE 180. Add to List of Cabinet, "17, Secretary for the Colonies," and, "18, Chancellor of the Duchy of Lancaster."

NOTE TO PAGE 78, LINE 12. In London and several of the large cities the instruction of pupil teachers is carried on at local centres, and not by the school-masters under whom they teach.

NOTE TO PAGE 196, LINE 1. A division was taken in the House of Commons on the motion for leave to introduce the Crimes (Ireland) Act of 1882. This, however, was not done by the Opposition, but by the independent Irish Nationalist party, and was supported by only twenty-two members.

1,75
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